

EXHIBIT 10

**DECLARATION OF MATTHEW E. SLOAN
TO JINHUA'S OPPOSITION TO USA MIL 1**

**REVISED REDACTED VERSION
PURSUANT TO ECF NO. 338 ORDER**



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Transcript of Stephen Chen

Date: July 10, 2018

Case: Micron Technology, Inc. -v- United Microelectronics Corp., et al.

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WORLDWIDE COURT REPORTING | INTERPRETATION | TRIAL SERVICES

USD-0351510

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICRON TECHNOLOGY, INC.,
Plaintiff,

Case No.

v. 3:17-CV-06932-JSW

UNITED MICROELECTRONICS
CORPORATION, FUJIAN JINHUA

INTEGRATED CIRCUIT CO.,

LTD., and DOES 1-10,

Defendants.

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Videotaped deposition of STEPHEN CHEN

Chen & Lin
Bank Tower, 12th Floor
205 Tunhwa North Road
Taipei 105
TAIWAN

TUESDAY, JULY 10, 2018

9:07 A.M.

Pages 1 - 114

Reported by Jade K. King.

USD-0351511

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1 A P P E A R A N C E S

2 FOR MICRON TECHNOLOGY, INC.:

3 RANDALL E. KAY

4 JONES DAY

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6 San Diego

7 CA 92121

8 PATRICK T. MICHAEL

9 JONES DAY

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13 PO-CHIEN CHEN

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16 Taipei 106

17 TAIWAN

18 FOR UNITED MICROELECTRONICS CORPORATION:

19 DAN JOHNSON

20 MARIO MOORE

21 DAN JOHNSON LAW GROUP

22 400 Oyster Point Blvd, Suite 321

23 South San Francisco

24 CA 94080

25 ALSO PRESENT:

18 Chester Wong (Videographer)

19 Chia-Ling Cheng (Main Interpreter)

20 Yugo Wang (Check Interpreter)

21 Lucas Chang (UMC in-house counsel)

22 Chia-Fang Lin (UMC in-house counsel)

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1	(MR. STEPHEN CHEN, duly sworn. All	6
2	answers to be given in English	
3	from this point unless	
	otherwise indicated.)	
4	EXAMINATION BY MR. MICHAEL:	6
5	(Exhibit 31 marked for	45
6	identification - Corporate	
7	filing from UMC)	
8	(Exhibit 32 marked for	54
9	identification - Exhibit 4	
10	previously filed in court	
	hearing)	
11	(Exhibit 33 marked for	56
12	identification - Exhibit C	
13	previously filed in court	
14	hearing)	
15	(Exhibit 23, as previously marked -	64
16	Document with Bates number	
17	UMCCORPJD000001)	
18	(Exhibit 30, as previously marked -	66
19	Document with Bates numbers	
20	UMCCORPJD000008 through 12)	
21	(Exhibit 9, as previously marked -	73
22	Document with Bates numbers	
23	UMCCORPJD000017 through 30)	
24	(Exhibit 29, as previously marked -	79
25	Document with Bates numbers	
	UMCCORPJD000041 through 46)	
EXAMINATION BY MR. JOHNSON:	97	
FURTHER EXAMINATION BY MR. MICHAEL:	105	

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1 P R O C E E D I N G S

2	THE VIDEOGRAPHER: Here begins media unit	09:07:33
3	No. 1, videotaped deposition of Stephen Chen in	09:07:35
4	the matter of Micron Technology Inc. versus United	09:07:39
5	Microelectronics Corp et al.	09:07:44
6	Today's date is 10 July 2018. The time	09:07:45
7	on the video monitor is 9:07 a.m.	09:07:48
8	The videographer today is Chester Wong on	09:07:53
9	behalf of Planet Depos. This video deposition is	09:07:55
10	taking place at Bank Tower, 12th floor, 205 Tunhwa	09:07:57
11	North Road, Taipei.	09:08:03
12	The court reporter today is Jade King on	09:08:05
13	behalf of Planet Depos.	09:08:07
14	Would counsel please voice-identify	09:08:08
15	themselves and state whom they represent.	09:08:10
16	MR. MICHAEL: Patrick Michael with Jones	09:08:13
17	Day on behalf of Micron.	09:08:14
18	MR. KAY: Good morning. Randy Kay from	09:08:17
19	Jones Day, also for Micron.	09:08:18
20	MR. JOHNSON: I'm Daniel Johnson Junior	09:08:21
21	from the Dan Johnson Law Group on behalf of UMC.	09:08:23
22	MR. MOORE: Mario Moore of the Dan	09:08:26
23	Johnson Law Group on behalf of UMC.	09:08:27
24	THE VIDEOGRAPHER: Would the reporter	09:08:31
25	please swear in the interpreters and the witness.	09:08:32

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1 THE COURT REPORTER: Before I take the 09:08:35
 2 oaths, I would like the parties to stipulate they 09:08:35
 3 understand the court reporter is not a notary 09:08:35
 4 public in this venue and nevertheless stipulate 09:08:35
 5 that the court reporter can administer the oaths, 09:08:35
 6 and further agree that they will not object to the 09:08:35
 7 admissibility of the transcript based on the 09:08:35
 8 oaths. 09:08:35

9 Is that agreed by the parties? 09:08:35

10 MR. MICHAEL: Agreed on behalf of Micron. 09:08:52

11 MR. JOHNSON: Agreed on behalf of UMC. 09:08:54

12 (MS. CHIA-LING CHENG sworn as the main 09:08:56
 13 interpreter) 09:08:56

14 (MR. YUGO WANG sworn as the check 09:08:56
 15 interpreter) 09:08:56

16 (MR. STEPHEN CHEN, duly sworn. All 09:08:56
 17 answers to be given in English from this point 09:08:56
 18 unless otherwise indicated.) 09:08:56

19 EXAMINATION BY MR. MICHAEL: 09:08:56

20 Q. Good morning, Mr. Chen. 09:09:29

21 A. Good morning. 09:09:33

22 Q. Can you please state your full name for 09:09:34
 23 the record. - 09:09:36

24 A. Cheng-Kun Chen. Cheng-Kun Chen is my 09:09:38
 25 Chinese name. 09:09:46

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1	Q. And what is your English name?	09:09:46
2	A. Stephen.	09:09:48
3	Q. Stephen Chen?	09:09:49
4	A. Chen.	09:09:50
5	Q. And what is your address?	09:09:52
6	[REDACTED]	09:09:56
7	[REDACTED]	09:10:07
8	Q. And how long have you lived at that	09:10:16
9	address?	09:10:18
10	A. Two and a half year.	09:10:23
11	Q. What was your address prior to your	09:10:24
12	current address?	09:10:27
13	A. (Chinese spoken). But the address, I	09:10:28
14	cannot --	09:10:28
15	A. (Through interpreter) I lived on --	09:10:33
16	A. (Chinese spoken).	09:10:33
17	THE MAIN INTERPRETER: Correction.	09:10:33
18	A. (Through interpreter) I lived on Chu Tsun	09:10:33
19	Seventh Road. But the exact address, I actually	09:10:33
20	do not recall.	09:10:52
21	BY MR. MICHAEL:	09:10:54
22	Q. Also in Hsinchu?	09:10:54
23	[REDACTED]	09:10:56
24	[REDACTED]	09:10:57
25	Q. And who is your employer?	09:11:00

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1	A. UMC now.	09:11:05
2	Q. And when you say "UMC", you mean United	09:11:08
3	Microelectronics Corporation; correct?	09:11:11
4	A. Yes.	09:11:12
5	Q. Have you ever had your deposition taken	09:11:17
6	before?	09:11:19
7	A. No.	09:11:24
8	Q. So during the course of the day, I'll be	09:11:25
9	asking you questions and you will be providing	09:11:27
10	answers, and what I'd ask is that you wait for me	09:11:29
11	to complete your question before you give your	09:11:35
12	answer, and likewise I'll try to wait for you to	09:11:38
13	answer before I ask my next question. Is that	09:11:41
14	fair?	09:11:44
15	A. Okay.	09:11:53
16	Q. And during the course of today's	09:11:54
17	deposition, you know a decent amount of English,	09:11:56
18	certainly much more Mandarin than I know, but	09:12:00
19	we'll be using a court -- an interpreter to assist	09:12:03
20	with the questions and the answers. Is that	09:12:06
21	acceptable to you?	09:12:08
22	A. Okay. Thank you. Okay. Thank you.	09:12:10
23	Q. And what I would ask is that if you don't	09:12:21
24	understand a question, that you ask me to clarify.	09:12:23
25	Otherwise, if you answer the question, I'm going	09:12:28

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1 to assume that you understood the question. Do
 2 you understand that?

3 A. I understand. Okay.

4 Q. Other than in a deposition, have you ever
 5 provided testimony before in any other proceeding?

6 A. In Taiwan?

7 Q. Anywhere.

8 A. Taiwan. Only Taiwan.

9 Q. In Taiwan, you have? And what was that
 10 matter relating to?

11 A. It's for this Micron case, because there
 12 is an investigation last February. I was also
 13 witness for this case -- for this case in Taiwan.

14 Q. And who did you provide testimony in
 15 front of?

16 A. (Through interpreter) It was
 17 an investigation station at Banqiao.

18 THE MAIN INTERPRETER: Interpreter
 19 spelling, B-a-n-q-i-a-o.

20 BY MR. MICHAEL:

21 Q. And on how many occasions did you provide
 22 testimony?

23 A. Only one time.

24 Q. And was the testimony -- was it recorded
 25 by way of an audio recording or a stenographer?

09:12:30

09:12:33

09:12:35

09:12:47

09:12:50

09:13:01

09:13:03

09:13:04

09:13:06

09:13:08

09:13:15

09:13:17

09:13:21

09:13:26

09:13:28

09:13:36

09:13:37

09:13:45

09:13:45

09:13:49

09:13:50

09:13:52

09:13:53

09:13:55

09:14:00

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1 A. (Through interpreter) I assume there was
2 an audio and video recording kept at the
3 investigation department.

4 Q. But you don't know for sure one way or
5 the other?

6 A. Yeah, I don't see the camera.

7 Q. Do you recall the date of that testimony?

8 A. February 14.

9 Q. February 14, two-thousand-and --

10 A. '17.

11 Q. -- seventeen. Okay.

12 Other than the testimony that you
13 provided on February 14th, 2017, have you provided
14 testimony in any other matters?

15 A. I work for Powerchip before, and also
16 I was a witness for one case when I work for
17 Powerchip. It's maybe 2007.

18 Q. Was that an intellectual property
19 dispute?

20 A. That's our chairman of the Powerchip have
21 some kind of inside trade issue, inside trade.
22 I was a witness.

23 Q. Okay. And did you testify in court, or
24 was it in a deposition? Do you recall?

25 A. (Through interpreter) Deposition. It was

09:14:15

09:14:22

09:14:24

09:14:26

09:14:28

09:14:31

09:14:34

09:14:42

09:14:50

09:14:57

09:15:01

09:15:01

09:15:02

09:15:06

09:15:18

09:15:24

09:15:27

09:15:36

09:15:38

09:15:42

09:15:44

09:15:49

09:15:52

09:15:54

09:15:59

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1 a deposition.

09:16:03

2 Q. Okay. And that was here in Taiwan;
3 correct?

09:16:05

4 A. Yeah. Because at that time it's -- yeah,
5 in Taiwan.

09:16:08

6 Q. In connection with today's deposition,
7 can you tell me generally what you've done to
8 prepare yourself to come here today and provide
9 testimony?

09:16:09

10 A. I have the -- because we have some
11 interview with our lawyer, only for half-day,
12 yeah. That's all.

09:16:12

13 Q. And your lawyer, referring to
14 Mr. Johnson?

09:16:13

15 A. No, Mario.

09:16:17

16 Q. Oh, Mario. Mr. Chen, I don't want you to
17 disclose to me the content of your conversations
18 with your lawyers, so I'm just going to ask you
19 a couple of questions.

09:16:19

20 On how many occasions did you have to
21 meet with attorneys to prepare for today's
22 deposition?

09:16:22

23 A. Last week, twice.

09:16:35

24 Q. And the first meeting, what day was that?

09:16:38

25 A. Last -- last Monday. And Wednesday.

09:16:42

09:16:46

09:16:49

09:16:50

09:16:57

09:16:59

09:17:02

09:17:03

09:17:05

09:17:08

09:17:28

09:17:32

09:17:47

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1	Q. Monday and Wednesday of last week, you	09:17:52
2	had meetings; correct?	09:17:54
3	A. Yeah.	09:18:00
4	Q. And the Monday meeting, how long was the	09:18:00
5	Monday meeting?	09:18:02
6	A. Maybe four or five hours, but we also	09:18:10
7	break for, for, for lunch.	09:18:12
8	Q. And who was present at that meeting?	09:18:16
9	A. Three. Mario, Lucas and Chia-Fang Lin.	09:18:30
10	(Court reporter clarification)	09:18:54
11	Q. And during the course of that meeting,	09:18:55
12	did you review documents?	09:18:57
13	A. No.	09:19:00
14	Q. On the Wednesday meeting, who did you	09:19:09
15	meet with?	09:19:11
16	A. Mario and Chia-Fang only.	09:19:14
17	Q. And how long was that meeting?	09:19:16
18	A. Maybe less -- almost two hour.	09:19:21
19	Q. And did you review documents during the	09:19:24
20	Wednesday meeting?	09:19:27
21	A. No.	09:19:31
22	Q. In preparing for your deposition here	09:19:34
23	today, did you make any effort to collect or	09:19:37
24	identify documents?	09:19:41
25	A. No. Basically, no.	09:19:54

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1 Q. Have you had any involvement in
2 collecting documents in order for UMC to produce
3 documents to Micron in this litigation?

4 A. No.

5 Q. Has anybody asked you to provide to them
6 documents related to this litigation?

7 A. No.

8 Last week, the --

9 MR. JOHNSON: No question is pending.

10 A. Okay.

11 MR. JOHNSON: If you need to take
12 a break, we can take a break, but no question's
13 pending.

14 BY MR. MICHAEL:

15 Q. I want to make sure that I understand
16 your testimony, Mr. Chen. Is it correct that you
17 have made no efforts to identify or collect
18 documents for UMC in connection with this
19 litigation?

20 A. Yes.

21 Q. To your knowledge, does UMC have
22 possession of Micron technical documents relating
23 to DRAM technology?

24 A. I have no idea.

25 Q. To your knowledge, has UMC ever had

09:19:57

09:20:00

09:20:06

09:20:19

09:20:28

09:20:32

09:20:42

09:20:56

09:20:57

09:20:59

09:21:01

09:21:02

09:21:04

09:21:08

09:21:08

09:21:10

09:21:14

09:21:18

09:21:21

09:21:45

09:22:02

09:22:05

09:22:08

09:22:19

09:22:26

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1 possession of Micron technical documents relating
2 to DRAM technology?

09:22:44

3 A. No.

09:22:47

4 Q. To your knowledge, has UMC or any of its
5 employees ever deleted or destroyed Micron
6 technical documents related to DRAM technology?

09:22:58

7 A. I have no idea.

09:23:05

8 Q. You understand when I ask questions
9 relating to Micron documents, I'm including
10 electronic documents that may be stored on
11 laptops, USB drives, or other storage media?

09:23:08

12 A. I understand.

09:23:13

13 Q. And so we're clear, to your knowledge,
14 UMC does not have and never has possessed Micron
15 technical documents relating to DRAM technology,
16 whether they're hard-copy documents or electronic
17 documents on storage media?

09:23:30

18 MR. JOHNSON: Objection. Question's
19 compound.

09:23:50

20 A. Yes.

09:23:52

21 BY MR. MICHAEL:

09:23:56

22 Q. I'm going to break the question up based
23 on counsel's objection. It's a fair objection.

09:23:59

24 To your knowledge, has UMC ever
25 possessed laptops containing Micron technical

09:24:28

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1	documents on DRAM technology?	09:25:35
2	A. No.	09:25:48
3	Q. To your knowledge, has UMC ever possessed	09:25:52
4	USB drives containing Micron technical documents	09:25:56
5	on DRAM technology?	09:25:59
6	A. No.	09:26:13
7	Q. And to your knowledge, has UMC ever	09:26:14
8	possessed any other electronic storage media that	09:26:17
9	contains Micron technical documents on DRAM	09:26:22
10	technology?	09:26:25
11	A. No.	09:26:36
12	Q. What's your date of birth, Mr. Chen?	09:26:40
13	A. November 12th.	09:26:44
14	Q. What year?	09:26:46
15	A. 1962.	09:26:48
16	Q. And where were you born?	09:26:50
17	A. Kaohsiung, south of Taiwan.	09:26:53
18	Q. I'm not understanding "south of Taiwan".	09:27:05
19	Where is that?	09:27:08
20	A. It's -- the city is -- Taipei --	09:27:10
21	Kaohsiung is south of Taiwan, and Taipei is	09:27:15
22	located the north of Taiwan.	09:27:25
23	Q. Okay.	09:27:26
24	A. The city name -- city named Kaohsiung.	09:27:26
25	Q. And it's south of Taipei?	09:27:26

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Transcript of Stephen Chen

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1	A. Yeah, south of the whole island.	09:27:26
2	Q. On the southern part of Taiwan?	09:27:29
3	A. Yes.	09:27:32
4	Q. Understood. And your citizenship?	09:27:33
5	A. Taiwan only.	09:27:36
6	Q. Have you ever been to the United States?	09:27:41
7	A. Yes. Many times.	09:27:44
8	Q. In what capacity have you been to the	09:27:50
9	United States?	09:27:54
10	A. Business trip. And also see a friend	09:27:55
11	there.	09:28:01
12	Q. And approximately how many times have you	09:28:04
13	been to the United States?	09:28:06
14	A. I think more than 10 times total.	09:28:15
15	Q. And can you roughly break down who your	09:28:23
16	employers were for those 10 business trips?	09:28:26
17	MR. JOHNSON: Counsel, can we get some	09:28:36
18	date timeframes for these trips?	09:28:37
19	MR. MICHAEL: Yeah.	09:28:43
20	MR. JOHNSON: It might make the record	09:28:44
21	more clear.	09:28:45
22	A. My -- I work for TI-Acer in Taiwan. We	09:28:48
23	had technology cooperation with Texas Instruments.	09:28:53
24	Back to 19 -- maybe 1989 or '90. Yeah, I had the	09:28:58
25	trip --	09:29:04

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1	THE COURT REPORTER: Sorry, did you say	09:29:04
2	"TIS" with Texas Instruments?	09:29:04
3	A. That's a joint venture, TI with -- Texas	09:29:04
4	Instruments with Taiwan computer company Acer.	09:29:10
5	THE COURT REPORTER: Is it "TI"?	09:29:10
6	MR. JOHNSON: TI-Acer.	09:29:10
7	A. Acer. Then I have ...	09:29:10
8	BY MR. MICHAEL:	09:29:24
9	Q. Real quick, Mr. Chen. So you worked for	09:29:24
10	a company that involved a joint venture between	09:29:25
11	Texas Instruments and Acer; is that correct?	09:29:28
12	A. Yes.	09:29:31
13	Q. And did you travel to the United States	09:29:37
14	as part of your employment at that time?	09:29:40
15	A. Yes.	09:29:48
16	Q. And what was that time period?	09:29:50
17	A. 1989 to 1991. That timeframe.	09:29:55
18	Q. Let's see if we can break this down	09:30:01
19	a little, a little closer. Since you've been	09:30:03
20	employed with UMC, have you made business trips to	09:30:05
21	the United States?	09:30:09
22	A. Yes, two years ago.	09:30:22
23	Q. You've made only one trip to the United	09:30:25
24	States in your business role with UMC?	09:30:27
25	A. That's -- I joined job fair activity with	09:30:40

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1	Jinhua. That's the only one trip.	09:30:45
2	Q. And you're referring to a trip in October	09:30:47
3	2016?	09:30:49
4	A. Yes.	09:30:55
5	Q. While you worked with Micron, did you	09:31:01
6	make any business trips to the United States?	09:31:04
7	A. Yes.	09:31:12
8	Q. How many times?	09:31:13
9	A. Two times, I remember.	09:31:16
10	Q. And where did you go on these business	09:31:20
11	trips in the United States?	09:31:23
12	A. I flew to the San Francisco and then	09:31:32
13	transferred to the Boise. That's the trip.	09:31:35
14	Q. Okay. Both occasions, you flew through	09:31:41
15	San Francisco to Boise, Idaho?	09:31:43
16	A. Yes. Because there is no direct flight	09:31:50
17	to the Idaho.	09:31:52
18	Q. You're lucky you found one from San	09:31:55
19	Francisco.	09:31:58
20	Did you visit Micron's northern	09:32:01
21	California facility on either of those trips?	09:32:04
22	A. No.	09:32:18
23	Q. You only visited Micron's headquarters in	09:32:18
24	Boise, Idaho; is that correct?	09:32:22
25	A. Yes. Yes.	09:32:24

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1 Q. Do you recall approximately the dates of
 2 those business trips?

3 A. I only remember roughly end of June. End
 4 of June. Always we had a meeting yearly at -- by
 5 end of June. At Boise, yeah. In Boise.

6 Q. Okay. And what years approximately would
 7 these have been, if you recall?

8 A. 2014 and 2015.

9 Q. And during the course of these meetings,
 10 did you visit Micron's fabrication facilities in
 11 Boise, Idaho?

12 A. No.

13 Q. You're aware that Micron has fabrication
 14 facilities in Idaho; correct?

15 A. Yes, I know.

16 Q. And you're aware that Micron has
 17 a fabrication facility they refer to as "Fab 4",
 18 which is located in Idaho; correct?

19 A. I know.

20 Q. Mr. Chen, why don't you provide for me
 21 your educational background after high school.

22 A. I graduated from the Chengkung
 23 University, then entered the Tsinghua University
 24 for master's degree. That's all.

25 Q. What year did you graduate from -- is it

09:32:28

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Transcript of Stephen Chen

Conducted on July 10, 2018

20

1	Tsingkeng [sic] University?	09:34:49
2	A. Chengkung.	09:34:49
3	Q. Chengkung. What year did you graduate	09:34:51
4	from Chengkung University?	09:34:54
5	A. 1985.	09:34:59
6	Q. And what was your degree?	09:35:00
7	A. Bachelor degree.	09:35:02
8	Q. Was it a bachelor degree in electrical	09:35:04
9	engineering?	09:35:08
10	A. Material science.	09:35:10
11	THE COURT REPORTER: Material science?	09:35:13
12	A. Material science and metallurgy.	09:35:13
13	BY MR. MICHAEL:	09:35:15
14	Q. And then you proceeded to enter a program	09:35:17
15	for your master's degree. Did you complete your	09:35:21
16	master's?	09:35:30
17	A. Yes.	09:35:30
18	Q. And what year did you get your master's?	09:35:31
19	A. 1987.	09:35:34
20	Q. And what was your master's degree in?	09:35:35
21	Was it also in material science and --	09:35:38
22	A. Material science.	09:35:41
23	Q. Did you do a thesis as part of your	09:35:47
24	master's program?	09:35:50
25	A. Yes.	09:35:51

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Transcript of Stephen Chen

Conducted on July 10, 2018

21

1	Q. And did you publish?	09:35:52
2	A. Suppose.	09:35:56
3	Q. But what was the topic of your thesis?	09:35:59
4	A. I remember very clearly. Copper sputter.	09:36:05
5	THE COURT REPORTER: Could you say again.	09:36:12
6	A. Copper.	09:36:12
7	BY MR. MICHAEL:	09:36:12
8	Q. Copper?	09:36:12
9	A. Copper. The copper process for the	09:36:12
10	copper technology of semiconductor, but at that	09:36:14
11	time, I -- my -- it says on the cover	09:36:17
12	"sputtering".	09:36:20
13	MR. JOHNSON: Sputtering?	09:36:21
14	A. Yeah.	09:36:21
15	MR. JOHNSON: Sputter.	09:36:21
16	A. Yeah, I set up the equipment by myself	09:36:21
17	for this process. So that's why I start my career	09:36:25
18	in semiconductor.	09:36:31
19	MR. JOHNSON: Sputtering.	09:36:35
20	BY MR. MICHAEL:	09:36:39
21	Q. Would you say that most of your	09:36:40
22	experience in the semiconductor industry is on the	09:36:43
23	equipment side as opposed to the software design	09:36:45
24	side?	09:36:48
25	A. Process technology.	09:36:58

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Transcript of Stephen Chen

Conducted on July 10, 2018

22

1	Q. Process technology. And when you say	09:37:03
2	"process technology", what does that mean?	09:37:05
3	A. I was the manager of the process	09:37:11
4	integration.	09:37:13
5	Q. What does -- what does "process	09:37:18
6	integration" mean?	09:37:22
7	A. It's the -- with the technology, we need	09:37:25
8	to have many -- four steps taken integration, the	09:37:29
9	integration team is integrate all the unit process	09:37:37
10	into one floor in kind of a row and discuss with	09:37:39
11	the model for improvement. That's back to 20	09:37:43
12	years ago.	09:37:50
13	Q. And after you obtained your master's	09:37:54
14	degree, did you go on for any additional	09:37:56
15	postgraduate studies?	09:37:58
16	A. No.	09:38:05
17	Q. Do you have any patents in your name	09:38:06
18	where you're the named inventor?	09:38:09
19	A. I cannot remember. Because I was	09:38:16
20	a manager very early, when I worked for --	09:38:22
21	I become a manager after I work for five years.	09:38:27
22	So basically I, I, I have not do the detail of the	09:38:30
23	technology development or process, yeah.	09:38:34
24	Q. Okay. Why don't we start with your first	09:38:40
25	job out of -- after you obtained your master's	09:38:47

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Transcript of Stephen Chen

Conducted on July 10, 2018

23

1 degree. What was your first job in the
 2 semiconductor industry?

3 A. I work for one design company who is the
 4 fabless design company, and I was the product
 5 testing engineer.

6 Q. What was the name of that company?

7 A. SIS, Silicon Integration and something.
 8 SIS.

9 Q. And what were the years that you were
 10 employed with SIS?

11 A. 1989, because after I graduate from
 12 master's degree, I have two years for military
 13 service.

14 Q. Oh.

15 A. 1989, that's my first job, yeah.

16 Q. You served in the military in Taiwan?

17 A. Yes.

18 Q. What part of the military?

19 A. Army.

20 Q. And how long were you employed at SIS?
 21 1989 until when?

22 A. (Through interpreter) The end of 1990.

23 A. Then I joined TI-Acer. I maybe left 1990
 24 or 1991, yeah.

25 Q. And the name of the joint venture was

09:38:49

09:38:51

09:38:58

09:39:06

09:39:11

09:39:15

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09:40:08

09:40:12

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09:40:24

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09:40:34

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Transcript of Stephen Chen

Conducted on July 10, 2018

24

1	TI-Acer, yeah.	09:40:37
2	A. Also DRAM company.	09:40:40
3	Q. Was the fabless design company, SIS, was	09:40:43
4	that a DRAM company?	09:40:49
5	A. No.	09:40:50
6	Q. Logic?	09:40:54
7	A. Logic and also memory. Memory for mask	09:40:55
8	ROM and S-RAM. Mask ROM. I was the engineer for	09:40:57
9	mask ROM.	09:41:04
10	THE COURT REPORTER: Could you say that	09:41:23
11	term again.	09:41:23
12	A. Mask, mask is a -- it's one kind of	09:41:23
13	memory.	09:41:23
14	THE COURT REPORTER: I just need the	09:41:23
15	word, not the explanation.	09:41:23
16	A. Mask, m-a-s-k.	09:41:23
17	THE COURT REPORTER: Thank you. And the	09:41:23
18	second part? Mask --	09:41:23
19	A. Memory, Mask ROM. R-O-M. Read only	09:41:23
20	memory.	09:41:23
21	THE COURT REPORTER: Thank you.	09:41:23
22	BY MR. MICHAEL:	09:41:23
23	Q. So TI-Acer was your first DRAM company;	09:41:25
24	is that correct?	09:41:29
25	A. Yes.	09:41:35

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Transcript of Stephen Chen

Conducted on July 10, 2018

25

1 Q. And what were the years that you were
 2 employed at TI-Acer?

3 A. I worked with TI-Acer maybe three years
 4 only, two or -- two or -- three year, roughly.

5 Q. So 1991 to 1994?

6 A. Yeah.

7 Q. And what was your position at TI-Acer?

8 A. Senior engineer and take care of the
 9 failure analysis laboratory.

10 Q. Can you give me that testimony again?
 11 You were the senior engineer and you took care of
 12 what laboratory?

13 A. Failure analysis.

14 THE MAIN INTERPRETER: "Failure".

15 A. If there are any failures, send to my lab
 16 and I do analysis for them.

17 BY MR. MICHAEL:

18 Q. And after TI-Acer, what was your next
 19 job?

20 A. I quit from the semiconductor. I joined
 21 a company who make, what you call, a ferrite, like
 22 a power, switching power supply.

23 THE COURT REPORTER: I am sorry, I am
 24 finding this very unclear.

25 MR. MICHAEL: Yeah, me too.

09:41:35

09:41:37

09:41:47

09:41:51

09:41:58

09:42:00

09:42:00

09:42:06

09:42:10

09:42:14

09:42:19

09:42:22

09:42:32

09:42:35

09:42:35

09:42:38

09:42:39

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09:43:02

09:43:07

09:43:26

09:43:26

09:43:26

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Transcript of Stephen Chen

Conducted on July 10, 2018

26

1 THE COURT REPORTER: Perhaps go through
 2 the interpreter.

09:43:26

3 THE MAIN INTERPRETER: (Chinese spoken).

09:43:26

4 A. I quit from TI-Acer and joined a new, new
 5 start-up company.

09:43:26

09:43:27

6 BY MR. MICHAEL:

09:43:28

7 Q. Mr. Chen, I'm going to ask you to let's
 8 try this for a little while. I'm going to ask you
 9 to try to give your answers in Mandarin and allow
 10 the interpreter to interpret into English.

09:43:28

09:43:30

09:43:32

09:43:35

11 A. Okay.

09:43:46

12 Q. It sounds like you moved out of the
 13 semiconductor industry after TI-Acer and you went
 14 and got a job at a different company. Can you
 15 tell me the name of that company and your
 16 position?

09:43:46

09:43:49

09:43:51

09:43:54

09:43:56

17 A. (Through interpreter) Okay. The name of
 18 the company is Acme.

09:44:03

09:44:22

19 THE MAIN INTERPRETER: Interpreter
 20 spelling, A-c-m-e.

09:44:30

09:44:30

21 A. (Through interpreter) The Chinese of the
 22 company is Yuefong.

09:44:30

09:44:31

23 THE MAIN INTERPRETER: Interpreter
 24 spelling, Y-u-e-f-o-n-g.

09:44:33

09:44:33

25 BY MR. MICHAEL:

09:44:35

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Transcript of Stephen Chen

Conducted on July 10, 2018

27

1	Q. And what was your title at Acme?	09:44:36
2	A. Engineering manager.	09:44:44
3	Q. And what were the products that Acme	09:44:53
4	developed?	09:44:56
5	A. (Through interpreter) It's a type of a	09:45:15
6	soft magnet to make power supply.	09:45:18
7	Q. Did you eventually return to the	09:45:24
8	semiconductor industry?	09:45:27
9	A. I back to semiconductor again.	09:45:31
10	Q. Okay. What company was your next job	09:45:33
11	that was in the semiconductor industry?	09:45:36
12	A. Nanya Technology.	09:45:44
13	THE COURT REPORTER: Sorry?	09:45:52
14	A. (Through interpreter) Nanya Technology.	09:45:52
15	THE MAIN INTERPRETER: Interpreter	09:45:52
16	spelling, N-a-n-y-a.	09:45:54
17	BY MR. MICHAEL:	09:45:58
18	Q. And what was your title at Nanya?	09:45:59
19	A. It's deputy director.	09:46:02
20	Q. Deputy director of what division?	09:46:08
21	A. Process integration.	09:46:16
22	Q. Was this process integration for memory	09:46:21
23	chips?	09:46:24
24	A. Yes.	09:46:30
25	Q. DRAM?	09:46:34

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Transcript of Stephen Chen

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28

1	A. Yes, they have the technology from Japan	09:46:35
2	company, Oki, O-k-i.	09:46:37
3	Q. And how long did you work at Nanya	09:46:41
4	Technology?	09:46:44
5	A. 10 months.	09:46:45
6	Q. And what was your next job, Mr. Chen?	09:46:46
7	A. Join with Powerchip.	09:46:49
8	Q. And that was a DRAM company?	09:46:58
9	A. Yes.	09:46:59
10	Q. And your position at Powerchip?	09:47:02
11	A. Start with department manager of the	09:47:06
12	process integration.	09:47:09
13	Q. And did your title change over time while	09:47:20
14	you were with Powerchip?	09:47:22
15	A. Change very often. Promote, I always	09:47:35
16	promote.	09:47:37
17	THE COURT REPORTER: Say that again.	09:47:38
18	A. I got a promotion almost every one or	09:47:38
19	every two years. So from the department manager,	09:47:40
20	I changed to deputy director. Then after that,	09:47:42
21	director, and (unclear) manager and	09:47:45
22	vice-president, senior vice-president for past 10	09:47:48
23	years.	09:47:51
24	BY MR. MICHAEL:	09:47:54
25	Q. What was the time period that you worked	09:47:57

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Transcript of Stephen Chen

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29

1	at Powerchip?	09:47:59
2	A. 1996 until 2008 or 2009.	09:48:04
3	Q. And the positions that you held, it	09:48:17
4	started as a department manager of process	09:48:23
5	engineering, you were then promoted up to director	09:48:25
6	and eventually senior vice-president; is that	09:48:27
7	correct?	09:48:29
8	A. Yes.	09:48:42
9	Q. And what were the Powerchip products?	09:48:44
10	A. Technology transfer from the Japan	09:48:55
11	company Mitsubishi for DRAM product technology.	09:48:59
12	Q. Did Powerchip manufacture DRAM?	09:49:04
13	A. Yes.	09:49:10
14	Q. Did it design DRAM?	09:49:11
15	A. No.	09:49:13
16	Q. Who designed the Powerchip DRAM?	09:49:17
17	A. Licensed product from the Mitsubishi	09:49:25
18	Electric.	09:49:28
19	Q. And after Powerchip, what was your next	09:49:35
20	job?	09:49:38
21	A. 2006, I was appointed as the president of	09:49:43
22	the joint venture company between Powerchip and	09:49:47
23	Elpida.	09:50:00
24	THE COURT REPORTER: What is that second	09:50:00
25	company?	09:50:00

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Transcript of Stephen Chen

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30

1	MR. JOHNSON: Elpida, E-l-p-i-d-a.	09:50:00
2	A. E-l-p-i-d-a. It's a joint venture	09:50:00
3	company, Rexchip is a joint venture between Elpida	09:50:05
4	and Powerchip.	09:50:07
5	BY MR. MICHAEL:	09:50:10
6	Q. So in 2006, you were appointed as the	09:50:10
7	president of Rexchip, which is a joint venture	09:50:13
8	between Powerchip and Elpida; correct?	09:50:17
9	A. Yes.	09:50:19
10	Q. And what was Rexchip's primary line of	09:50:34
11	business?	09:50:37
12	A. It's manufacturing. DRAM manufacturing.	09:50:41
13	Q. Did Rexchip design DRAM?	09:50:47
14	A. No. Only manufacturing.	09:50:51
15	Q. Only manufacturing.	09:50:55
16	A. Product sell back to the parent company,	09:50:56
17	Elpida and Powerchip.	09:50:59
18	Q. So did Rexchip manufacture DRAM for	09:51:02
19	Elpida and DRAM for Powerchip?	09:51:06
20	A. Because joint venture, the product we	09:51:18
21	manufactured, we would sell back to the parent	09:51:21
22	company according to the share ratio. So	09:51:24
23	basically 50 percent go back to Elpida, 50 percent	09:51:28
24	go back to Powerchip.	09:51:31
25	Q. Okay. And what was the time period that	09:51:32

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Transcript of Stephen Chen

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31

1	you worked at Rexchip?	09:51:34
2	A. 2006, end of the 2006 until 2013. And	09:51:42
3	acquire, merge by Micron in 2013.	09:51:49
4	Q. What technology node was the DRAM in	09:51:55
5	while you were at Rexchip?	09:51:58
6	A. 70 nanometer.	09:52:11
7	Q. 7-0?	09:52:16
8	A. 2006, start with the 70 nanometer in	09:52:20
9	2006.	09:52:24
10	Q. And when you left in 2013, what was the	09:52:26
11	technology node?	09:52:31
12	A. 20 nanometer? It's 25 in production, 1X	09:52:42
13	nanometer in transfer.	09:52:49
14	THE COURT REPORTER: Could you repeat	09:53:05
15	that, please.	09:53:06
16	A. It should be 25. IX. I have no idea for	09:53:15
17	1X.	09:53:15
18	BY MR. MICHAEL:	09:53:15
19	Q. Let me see if I can clarify --	09:53:15
20	THE COURT REPORTER: Is he saying	09:53:16
21	"wireless"?	09:53:16
22	MR. JOHNSON: 1X.	09:53:16
23	BY MR. MICHAEL:	09:53:18
24	Q. In 2013, was Rexchip producing 25	09:53:18
25	nanometer DRAM?	09:53:24

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32

1	A. Yes.	09:53:27
2	Q. And in 2013, was Rexchip producing 20	09:53:28
3	nanometer DRAM?	09:53:34
4	A. No.	09:53:39
5	Q. In 2013, is it correct that Rexchip was	09:53:40
6	in the process of developing manufacturing	09:53:43
7	capabilities for 20 nanometer DRAM?	09:53:48
8	A. No.	09:53:59
9	Q. So as of 2013, Rexchip only had the	09:54:06
10	capability to manufacture 25 nanometer DRAM; is	09:54:09
11	that correct?	09:54:14
12	A. Yes.	09:54:21
13	Q. And you mentioned that in 2013, Micron	09:54:25
14	acquired Rexchip; is that correct?	09:54:32
15	A. Yes.	09:54:37
16	Q. And as the president of Rexchip, were you	09:54:39
17	involved with that acquisition?	09:54:42
18	A. I cannot catch the point. (Chinese	09:54:57
19	spoken).	09:55:02
20	A. (Through interpreter) I don't understand	09:55:03
21	your question.	09:55:04
22	Q. You were the president of Rexchip in	09:55:05
23	2013; correct?	09:55:08
24	A. Yes.	09:55:12
25	Q. And in 2013, Micron acquired Rexchip;	09:55:13

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33

1 correct?

09:55:16

2 A. Yes.

09:55:20

3 Q. And as part of that acquisition, there is
4 generally a corporate transaction that's involved
5 for that acquisition. Were you involved in that
6 corporate transaction in any way?

09:55:20

09:55:24

09:55:27

09:55:31

7 MR. JOHNSON: Do you understand
8 "corporate transaction"?

09:55:48

09:55:49

9 A. I know, but I did not get involved
10 because the finance to finance, they make a deal.
11 I have no -- I did not get involved.

09:55:52

09:55:55

09:55:59

12 BY MR. MICHAEL:

09:56:01

13 Q. You were not involved in negotiation of
14 price?

09:56:02

09:56:05

15 A. No.

09:56:06

16 Q. Were you involved in negotiation of
17 retention of employees?

09:56:07

09:56:10

18 A. No.

09:56:15

19 Q. You remained as an employee of the new
20 entity that Micron acquired; correct?

09:56:17

09:56:22

21 A. Yes.

09:56:32

22 Q. And was Rexchip renamed to a new entity
23 name?

09:56:32

09:56:35

24 A. Yes.

09:56:40

25 Q. And what was the name of that entity?

09:56:41

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Transcript of Stephen Chen

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34

1	A. Micron Memory Taiwan, MMT.	09:56:53
2	Q. And at that point in time, you became	09:56:57
3	an employee of Micron; correct?	09:57:00
4	A. Yes.	09:57:04
5	Q. And what was your position with Micron?	09:57:05
6	A. Site director.	09:57:14
7	Q. What were your job responsibilities as	09:57:24
8	site director?	09:57:31
9	A. I report to the VP of the global	09:57:35
10	manufacturing. And just hit some of the KPI VP	09:57:39
11	sent to us, basically on the operation and	09:57:55
12	manufacturing.	09:57:57
13	Q. I'm going to ask you to repeat that one	09:58:00
14	more time. Maybe we'll try to do it in Chinese.	09:58:02
15	A. Okay.	09:58:06
16	Q. So what were your job responsibilities as	09:58:07
17	the site director for Micron?	09:58:10
18	A. (Through interpreter) Mainly to manage	09:58:28
19	the KPIs of the factory, focusing on cost and	09:58:31
20	yield.	09:58:45
21	Q. What is KPI?	09:58:51
22	A. We have a target for the cost, yield, and	09:58:59
23	the quality and cycle time. That's the four major	09:59:04
24	KPI.	09:59:08
25	Q. The factory you're referring to, what was	09:59:20

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35

1 the name of the factory?

09:59:22

2 A. (Through interpreter) The name got
3 changed to "Fab 16" in the group of Micron.

09:59:34

4 Q. So you were the site director for
5 Micron's Fab 16 in Taiwan; correct?

09:59:35

6 A. (Through interpreter) I am the director
7 of the site. There is also fab managers managing
8 the fabs.

09:59:42

9 Q. Did the fab managers report up to you?

09:59:45

10 A. Yes.

10:00:07

11 Q. Were you the person in charge of Fab 16
12 for Micron?

10:00:08

13 A. I'm the site director. Very difficult to
14 say. Fab director.

10:00:11

15 Q. Let's try to get at the this way. You
16 reported to the vice-president of global
17 manufacturing at Micron; correct?

10:00:13

18 A. Yes.

10:00:20

19 Q. And who was the vice-president of global
20 manufacturing at the time period you were employed
21 at Micron?

10:00:22

22 A. Wayne. Wayne. W-a-y-n-e.

10:00:26

23 Q. Is Wayne a last name or a first name?

10:00:46

24 A. Wayne is a first name. Wayne Allen.

10:00:49

25 Q. Can you spell the last time for me?

10:00:53

10:00:56

10:01:00

10:01:09

10:01:10

10:01:12

10:01:16

10:01:26

10:01:33

10:01:40

10:01:43

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1	A. I cannot -- Allen. E or A, I --	10:01:49
2	A-l-l-e-n? Because most of the time, we call him	10:01:56
3	Wayne.	10:02:04
4	MR. MICHAEL: Did you get a spelling on	10:02:04
5	the last name?	10:02:06
6	THE MAIN INTERPRETER: Interpreter's	10:02:08
7	spelling, last name, A-l-l-e-n, Allen.	10:02:09
8	BY MR. MICHAEL:	10:02:16
9	Q. Where was Wayne located?	10:02:17
10	A. Singapore.	10:02:19
11	Q. When did you leave Micron?	10:02:36
12	A. 2015, July.	10:02:42
13	A. (Through interpreter) The end of July.	10:02:49
14	Q. And where did you go?	10:02:51
15	A. I took two months for, for my personal --	10:02:57
16	(Chinese spoken).	10:03:06
17	A. (Through interpreter) I got two months of	10:03:07
18	personal leave.	10:03:09
19	Q. And after your two months of personal	10:03:16
20	leave, did you join UMC?	10:03:18
21	A. (Through interpreter) Yes.	10:03:25
22	Q. What date did you start at UMC?	10:03:26
23	A. In September.	10:03:31
24	A. (Through interpreter) I do not recall the	10:03:34
25	exact date, but in September.	10:03:36

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Transcript of Stephen Chen

Conducted on July 10, 2018

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1	Q. September 2015, you joined UMC?	10:03:39
2	A. Yes.	10:03:46
3	Q. When you worked for Micron at Fab 16, did	10:03:50
4	Micron manufacture any products at Fab 16 other	10:03:56
5	than DRAM?	10:04:01
6	A. No.	10:04:15
7	Q. When you joined UMC in September 2015,	10:04:21
8	did UMC manufacture DRAM?	10:04:25
9	A. No.	10:04:36
10	Q. Given your background in DRAM technology,	10:04:42
11	why did you choose to join UMC that was not	10:04:46
12	manufacturing DRAM?	10:04:50
13	A. (Through interpreter) I wanted to --	10:05:06
14	A. DRAM company is gone in Taiwan for me.	10:05:10
15	A. (Through interpreter) I wanted to join	10:05:13
16	a company with a foundry. Foundry is the main	10:05:15
17	technology in Taiwan, or the mainstream technology	10:05:19
18	in Taiwan. So that was my original thinking.	10:05:24
19	Q. To be clear, UMC was not in the DRAM	10:05:36
20	business in September 2015; correct?	10:05:39
21	A. Yes.	10:05:50
22	MR. JOHNSON: We've been going a little	10:06:03
23	more than an hour. Can we take a short break?	10:06:04
24	MR. MICHAEL: Yeah, we can take a break.	10:06:12
25	THE VIDEOGRAPHER: We are going off the	10:06:14

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Transcript of Stephen Chen

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1	record. The time is 10:06 a.m.	10:06:15
2	(Break taken)	10:06:18
3	THE VIDEOGRAPHER: We are back on the	10:18:27
4	record. The time is 10:18 a.m.	10:18:27
5	(All answers to be given through the interpreter	10:18:29
6	from this point unless otherwise indicated.)	10:18:29
7	BY MR. MICHAEL:	10:18:32
8	Q. When you joined UMC in September 2015,	10:18:33
9	what was your title?	10:18:39
10	A. Senior VP.	10:18:47
11	Q. Were you the senior VP of a particular	10:18:50
12	department or business operation within UMC?	10:18:54
13	A. (In English) Corporate senior VP, not	10:19:07
14	a function group.	10:19:10
15	A. So I was the senior VP to the entire	10:19:16
16	corporate, not to any specific function.	10:19:19
17	Q. What's your title -- what was your next	10:19:22
18	title at UMC, if it changed?	10:19:24
19	A. No, I have been the senior VP the whole	10:19:32
20	time.	10:19:36
21	Q. And what are your job duties and	10:19:37
22	responsibilities as the senior -- corporate senior	10:19:39
23	vice-president?	10:19:43
24	A. Back then, the VP of the procurement	10:20:03
25	department, as well as the facility and	10:20:05

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Transcript of Stephen Chen

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1 construction department reported to me.

10:20:08

2 THE CHECK INTERPRETER: I'm sorry, minor
3 correction.

10:20:12

4 "Back then, the VP of the procurement
5 department, and the VP of the facility and
6 construction department both reported to me."

10:20:13

7 A. Later, a VP of the product engineering
8 also reported to me. Later, there was something
9 new, something called Project M, which reported to
10 me.

10:20:16

10:20:18

10:20:29

11 BY MR. MICHAEL:

10:20:32

12 Q. What does the VP of procurement -- strike
13 that.

10:20:42

10:20:47

14 What are the responsibilities of the VP
15 of procurement?

10:20:58

10:20:59

16 A. The sourcing of the equipment and
17 materials are the responsibility of the VP of the
18 procurement department.

10:21:04

10:21:05

10:21:07

19 Q. What about the responsibilities of the VP
20 of facility and construction?

10:21:21

10:21:24

10:21:28

21 A. The operation --

10:21:32

10:21:35

10:21:57

22 THE MAIN INTERPRETER: Excuse me.

10:22:01

23 A. The person in charge of the operation of
24 the facility reports to the VP of facility and
25 construction. And the VP of facility and

10:22:02

10:22:04

10:22:07

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Transcript of Stephen Chen

Conducted on July 10, 2018

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1 construction also supervises the construction of
 2 the new facilities.

10:22:10

3 BY MR. MICHAEL:

10:22:13

4 Q. Does the VP of facility and construction
 5 have involvement with equipment procurement?

10:22:17

6 A. Only the procurement department is
 7 involved in the equipment procurement.

10:22:18

8 Q. And who was the VP of procurement when
 9 you started at UMC in September 2015?

10:22:20

10 A. The name of the person is Mu-Liang Liao.

10:22:36

11 THE MAIN INTERPRETER: Interpreter
 12 spelling, first name Mu-Liang, M-u L-i-a-n-g, last
 13 name Liao, L-i-a-o.

10:22:38

14 BY MR. MICHAEL:

10:22:41

15 Q. Does Mr. Liao have an English name?

10:22:44

16 A. ML.

10:23:06

17 Q. Is ML the vice-president of procurement
 18 today?

10:23:15

19 A. Right now, the procurement department and
 20 the department of facility and construction have
 21 been integrated. So ML is now the VP of the two
 22 departments after the integration. And at the
 23 procurement department, there is a senior director
 24 who oversees the operation of the procurement
 25 department.

10:23:16

10:23:19

10:23:27

10:23:30

10:23:33

10:23:53

10:23:56

10:23:59

10:24:04

10:24:16

10:24:20

10:24:25

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1 Q. Who -- what is the name of the senior
 2 director that oversees the operation of
 3 procurement?

4 A. His English name is Louis, L-o-u-i-s.
 5 Last name, Xie.

6 THE MAIN INTERPRETER: Interpreter
 7 spelling, X-i-e.

8 BY MR. MICHAEL:

9 Q. Who was the vice-president of product
 10 engineering when you joined in September 2015?

11 A. His name is SR Xu.

12 THE MAIN INTERPRETER: Interpreter
 13 spelling S-R, last name Xu, X-u.

14 BY MR. MICHAEL:

15 Q. And is Mr. Xu still the vice-president of
 16 product engineering today?

17 A. Yes.

18 Q. You mentioned there was another project
 19 called Project M that you were responsible for.
 20 What is Project M?

21 A. It's a project about memory.

22 Q. What type of memory?

23 A. Currently, DRAM memory.

24 Q. Is Project M the DRAM project that
 25 involves UMC's technical cooperation with Jinhua?

10:24:28

10:24:30

10:24:32

10:24:44

10:24:52

10:24:56

10:24:57

10:25:01

10:25:02

10:25:04

10:25:21

10:25:29

10:25:30

10:25:34

10:25:37

10:25:44

10:25:48

10:25:51

10:25:54

10:26:04

10:26:12

10:26:21

10:26:29

10:26:33

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Transcript of Stephen Chen

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42

1 A. (In English) Yes. 10:26:51

2 Q. When did Project M start at UMC? 10:26:54

3 A. Officially, supposedly it was after 10:27:08

4 February of 2016. 10:27:12

5 Q. Unofficially, did it start before 10:27:19

6 February 2016? 10:27:21

7 A. I cannot say that way -- 10:27:32

8 THE MAIN INTERPRETER: "I cannot say it 10:27:32

9 that way." 10:27:35

10 [REDACTED] 10:27:53

11 [REDACTED] 10:27:56

12 announcement. So for this public announcement, it 10:28:00

13 was made in May 2016, after the approval of the 10:28:02

14 board of directors. 10:28:06

15 BY MR. MICHAEL: 10:28:09

16 Q. Did Project M begin at UMC before 10:28:10

17 February 2016? 10:28:16

18 A. Before 2000 -- before February 2016, 10:28:32

19 there was only business discussions. 10:28:36

20 Q. Were you involved in those business 10:28:44

21 discussions regarding Project M before February 10:28:45

22 2016? 10:28:50

23 A. I was involved starting at the end of 10:29:06

24 2015 all the way to the beginning of 2016. 10:29:11

25 Q. Were there a core group of individuals at 10:29:24

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Transcript of Stephen Chen

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43

1 UMC who were involved in early business
2 discussions regarding Project M?

10:29:28

3 A. There was no team, but just one
4 individual.

10:29:48

5 Q. Who was that individual?

10:29:51

6 A. His name is Po-Weng Huang.

10:29:52

7 THE MAIN INTERPRETER: Interpreter's
8 spelling, P-o W-e-n-g. That's the first name.
9 Last name, Huang. Interpreter's spelling,
10 H-u-a-n-g.

10:30:03

11 BY MR. MICHAEL:

10:30:14

12 Q. Does Mr. Huang have an English name?

10:30:17

13 A. (Chinese spoken).

10:30:17

14 THE MAIN INTERPRETER: Oh, okay.

10:30:19

15 A. Bo Wen.

10:30:21

16 THE MAIN INTERPRETER: Interpreter
17 correction. The spelling of the first name,
18 Bo-Wen, is B-o W-e-n.

10:30:31

19 BY MR. MICHAEL:

10:30:33

20 Q. Is there an English name as well?

10:30:35

21 A. (In English) No.

10:30:42

22 A. No.

10:30:45

23 Q. What is -- is it a Mr. Huang?

10:30:45

24 A. Yes.

10:30:49

25 Q. And what is Mr. Huang's title at UMC?

10:30:49

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Transcript of Stephen Chen

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44

1	A. Supposedly or maybe deputy director of	10:31:04
2	finance.	10:31:06
3	Q. Do you know where Mr. Huang worked before	10:31:11
4	he was at UMC?	10:31:14
5	A. I do not know.	10:31:23
6	Q. What does "M" stand for in Project M?	10:31:36
7	A. The name is given by our former CEO. "M"	10:31:48
8	stands for "memory". It's also a collaboration	10:31:53
9	project with mainland China.	10:32:00
10	Q. When you left Micron in July 2015, did	10:32:20
11	you take any Micron technical documents with you?	10:32:30
12	A. (In English) No.	10:32:42
13	A. No.	10:32:45
14	Q. Mr. Chen, when we've used the name	10:33:10
15	Jinhua, you understand that we're referring to	10:33:14
16	Jinhua Integrated Circuit Company; correct?	10:33:19
17	A. Yes, understood.	10:33:29
18	Q. And when I -- if we use the name Jinhua	10:33:30
19	during the course of the day, that's the entity	10:33:32
20	we'll be referring to; fair enough?	10:33:34
21	A. Yes.	10:33:47
22	Q. Did you ever work for Jinhua?	10:33:47
23	A. In February 2017, the board of directors	10:34:30
24	dissolved the -- of UMC dissolved the non-compete	10:34:33
25	restriction. So I was able to be hired, to be the	10:34:38

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Transcript of Stephen Chen

Conducted on July 10, 2018

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1 president of Jinhua. And so my job officially
 2 began after February of 2017 at Jinhua.

3 THE MAIN INTERPRETER: May I confirm the
 4 date of the non-compete restriction dissolving
 5 with the witness?

6 MR. MICHAEL: I'm okay with that. Are
 7 you all right with that?

8 THE MAIN INTERPRETER: May I confirm.

9 MR. JOHNSON: It's his deposition --

10 THE MAIN INTERPRETER: (Chinese spoken).

11 THE COURT REPORTER: No correction?

12 THE MAIN INTERPRETER: So it's the end of
 13 February 2017 that the board of directors of UMC
 14 dissolved the non-compete restriction.

15 THE COURT REPORTER: Thank you.

16 BY MR. MICHAEL:

17 Q. Mr. Chen, I'm handing you what we have
 18 marked as Exhibit No. 31, which is a corporate
 19 filing from UMC, and I'd ask that you turn to the
 20 very last page of that document.

21 (Exhibit 31 marked for identification - Corporate
 22 filing from UMC)

23 BY MR. MICHAEL:

24 Q. Mr. Chen, can you read English?

25 A. Yes.

10:34:43

10:34:46

10:35:14

10:35:15

10:35:18

10:35:20

10:35:23

10:35:24

10:35:25

10:35:30

10:35:39

10:35:41

10:35:42

10:35:45

10:35:49

10:35:51

10:35:52

10:35:55

10:36:08

10:36:10

10:36:12

10:36:12

10:36:30

10:36:31

10:36:33

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1 Q. And the last page of this document,
 2 there's a heading that says "The Board of
 3 Directors resolved to release the managerial
 4 officer from non-competition restrictions."

5 Do you see that?

6 A. Yes.

7 Q. Is this the board of director resolution
 8 that you were referring to that allowed you to
 9 become the president of Jinhua?

10 A. Yes.

11 Q. And on what date did you become the
 12 president of Jinhua?

13 A. Some time after this date. So it should
 14 be after the resolution 8 of the board of
 15 directors. It is -- it was only with the approval
 16 of UMC that I was able to be the president of
 17 Jinhua.

18 THE CHECK INTERPRETER: Sorry, minor
 19 correction.

20 "Some time after this date. I would only
 21 be able to be the president of Jinhua after this
 22 resolution was passed by the board of directors of
 23 UMC."

24 BY MR. MICHAEL:

25 Q. Do you recall if you started your role as

10:36:33

10:36:36

10:36:39

10:36:42

10:36:46

10:36:59

10:37:00

10:37:03

10:37:07

10:37:18

10:37:19

10:37:22

10:37:31

10:37:45

10:37:49

10:37:54

10:37:59

10:38:02

10:38:03

10:38:03

10:38:10

10:38:14

10:38:17

10:38:28

10:38:29

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Transcript of Stephen Chen

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1 the president of Jinhua in February 2017 or in
2 March 2017?

10:38:31

3 A. I suppose the official effective date is
4 after March 2017.

10:38:59

10:39:04

5 Q. Are you the president of Jinhua today?

10:39:08

6 A. Yes. I am wearing two hats now.

10:39:13

7 Q. Who pays your salary?

10:39:28

8 A. UMC.

10:39:33

9 Q. Do you receive any compensation from
10 Jinhua?

10:39:36

10:39:38

11 A. Only started in the second half of 2017.

10:39:50

12 Q. In the second half of 2017, you received
13 compensation from UMC and Jinhua?

10:39:56

10:40:00

14 A. Yes.

10:40:10

15 Q. Where's Jinhua located?

10:40:12

16 A. In Jinjiang City in the province of
17 Fujian.

10:40:17

10:40:27

18 THE MAIN INTERPRETER: Interpreter
19 spelling, Jinjiang, J-i-n-j-i-a-n-g.

10:40:28

10:40:29

20 BY MR. MICHAEL:

10:40:32

21 Q. On mainland China; correct?

10:40:32

22 A. Yes.

10:40:34

23 Q. What are your job duties and
24 responsibilities as the president of Jinhua?

10:40:37

10:40:39

25 A. I am involved in the major

10:41:03

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Transcript of Stephen Chen

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1 decision-making processes of Jinhua, including the
 2 procurement issues as well as staffing or
 3 employment issues.

4 Q. And by "procurement", you mean
 5 procurement of equipment for manufacturing
 6 semiconductor devices; correct?

7 A. Yes.

8 Q. And your responsibility for staffing and
 9 employment includes recruiting engineers; correct?

10 A. I am not involved in the recruitment
 11 activities. I only sign off when there are people
 12 being hired by the company. So the employment
 13 needs my approval.

14 Q. Which vendor provides the majority of
 15 fabrication equipment to Jinhua?

16 MR. JOHNSON: Objection. I allowed you
 17 to get background information as to Jinhua. This
 18 witness is not here to testify on behalf of
 19 Jinhua. Jinhua has its own counsel. I'm
 20 instructing him not to answer any further
 21 questions.

22 I instruct you not to answer, so don't
 23 answer the question.

24 BY MR. MICHAEL:

25 Q. Mr. Chen, in October 2016, you traveled

10:41:05

10:41:07

10:41:11

10:41:18

10:41:20

10:41:24

10:41:34

10:41:40

10:41:43

10:42:07

10:42:10

10:42:14

10:42:19

10:42:45

10:42:51

10:42:54

10:42:56

10:42:59

10:43:02

10:43:04

10:43:06

10:43:39

10:43:42

10:43:45

10:43:46

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1	to the United States with a delegation of	10:43:48
2	individuals from UMC and Jinhua; correct?	10:43:52
3	A. (In English) Yes.	10:44:10
4	Q. And during that visit you met with Lam	10:44:11
5	Research; correct?	10:44:12
6	A. (In English) Yes.	10:44:19
7	Q. You met with KLA; correct?	10:44:19
8	A. Yes.	10:44:24
9	Q. And you met with Applied Materials;	10:44:25
10	correct?	10:44:27
11	A. Yes.	10:44:31
12	Q. And each of those companies are vendors	10:44:33
13	of fabrication equipment for semiconductor	10:44:36
14	manufacturing; correct?	10:44:39
15	A. Yes, these companies are top 10 companies	10:44:55
16	located in the US.	10:44:58
17	THE CHECK INTERPRETER: I'm sorry, minor	10:45:00
18	correction.	10:45:00
19	The witness's answer was only, "I think	10:45:01
20	these companies are top 10 companies located in	10:45:04
21	the US."	10:45:07
22	BY MR. MICHAEL:	10:45:08
23	Q. For clarification, these three companies	10:45:09
24	supply manufacturing equipment for the fabrication	10:45:11
25	of semiconductor devices; correct?	10:45:16

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Transcript of Stephen Chen

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1	A. Yes.	10:45:27
2	Q. And these devices may include items like	10:45:27
3	plasma X reactors and deposition chambers;	10:45:30
4	correct?	10:45:36
5	A. (In English) Yes.	10:45:43
6	A. Yes.	10:45:44
7	Q. In October 2016, you were employed by UMC	10:45:44
8	only and not Jinhua; correct?	10:45:50
9	A. Yes.	10:45:59
10	Q. And in October 2016, when you visited	10:46:00
11	with Lam Research and Applied Materials and KLA,	10:46:02
12	you discussed with them the DRAM project between	10:46:07
13	UMC and Jinhua; correct?	10:46:13
14	A. It was mainly Jinhua who made the	10:46:53
15	presentation. UMC was only there as a technical	10:46:56
16	partner to be present in the meetings.	10:47:01
17	Q. And those meetings involved the	10:47:05
18	discussions of the DRAM project between UMC and	10:47:07
19	Jinhua; correct?	10:47:12
20	A. There was very little discussion about	10:47:32
21	the collaboration project between UMC and Jinhua.	10:47:35
22	It was mainly Jinhua talking about its own plans.	10:47:39
23	Q. Mr. Chen, as the senior vice-president of	10:47:46
24	UMC, you are aware of the type of equipment and	10:47:50
25	the vendor of the equipment that supplies Jinhua;	10:47:55

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Transcript of Stephen Chen

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1	correct?	10:47:59
2	A. None of those were decided back then.	10:48:19
3	Q. But today, as the senior corporate	10:48:22
4	vice-president of UMC, you have knowledge of which	10:48:27
5	vendors Jinhua uses for its fabrication equipment;	10:48:31
6	correct?	10:48:35
7	A. I have knowledge because I am the	10:49:01
8	president of Jinhua, not because of my job at UMC.	10:49:05
9	Jinhua began to have equipment procurement	10:49:35
10	starting from this year, and as the president of	10:49:38
11	Jinhua, I need to look at these procurement	10:49:42
12	documents and sign off and approve these	10:49:47
13	documents. And that's how I came to know about	10:49:49
14	the vendors for the manufacturing equipment for	10:49:51
15	Jinhua.	10:49:57
16	Q. To your knowledge, as -- well, let me ask	10:49:58
17	you this way. Does Jinhua provide UMC with	10:50:03
18	equipment for its research and development on the	10:50:08
19	joint DRAM project?	10:50:11
20	MR. JOHNSON: And I'm going to object and	10:50:28
21	instruct the witness not to answer.	10:50:29
22	THE MAIN INTERPRETER: Okay. (Chinese	10:50:31
23	spoken).	10:50:31
24	A. (Chinese spoken).	10:50:51
25	MR. MICHAEL: What's the basis for the	10:50:53

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Transcript of Stephen Chen

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1	instruction?	10:50:54
2	MR. JOHNSON: You're asking him for the	10:50:56
3	scope of his knowledge as president of Jinhua.	10:50:57
4	MR. MICHAEL: No, I'm asking him whether	10:51:00
5	Jinhua provides UMC with equipment.	10:51:04
6	MR. JOHNSON: And that is based -- he's	10:51:06
7	just testified his understanding of the equipment	10:51:06
8	is based upon his work as president of Jinhua.	10:51:09
9	That is not the scope of this deposition. Jinhua	10:51:12
10	is a party who, as I understand, has not been	10:51:14
11	served and is separately represented.	10:51:18
12	BY MR. MICHAEL:	10:51:21
13	Q. Has UMC ever received equipment for the	10:51:22
14	DRAM project?	10:51:24
15	A. Yes.	10:51:32
16	Q. And does UMC use equipment for its	10:51:33
17	research and development on the DRAM project?	10:51:36
18	A. So for this joint development project, we	10:52:05
19	tried to use the equipment that UMC has already	10:52:08
20	had, as much as possible. For those not enough by	10:52:11
21	the old equipment, then we buy new equipment.	10:52:17
22	Then the new equipment and tool is from Jinhua.	10:52:21
23	Q. What vendor supplies the new equipment	10:52:27
24	and tool that UMC is using on the joint	10:52:29
25	development project?	10:52:33

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Transcript of Stephen Chen

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1 A. So more than 10 vendors, including all
 2 top 10 equipment suppliers or vendors. Do you
 3 want me to name all of them?

4 Q. Yes.

5 A. So, Applied Materials, and then ASML.
 6 Lam Research also. KLA-Tencor. TEL from Japan.
 7 Screen, S-c-r-e-e-n. And also HKE from Japan.
 8 Also vendors from Korea, for example IPS. Jusung,
 9 J-u-s-u-n-g. And also another Korean vendor
 10 called SM.

11 THE CHECK INTERPRETER: ASM.

12 THE MAIN INTERPRETER: Interpreter
 13 correction. "ASM from Korea."

14 A. So based on my understanding, many of
 15 them.

16 BY MR. MICHAEL:

17 Q. For equipment that UMC is using in the
 18 joint development DRAM project, does UMC pay for
 19 that equipment?

20 A. Not for the equipment itself, but UMC
 21 pays for the operation as well as the maintenance
 22 of the equipment.

23 Q. Who pays for the equipment itself?

24 A. Jinhua.

25 Do I need to return the document to you?

10:52:54

10:52:59

10:53:02

10:53:07

10:53:18

10:53:27

10:53:46

10:54:09

10:54:21

10:54:26

10:54:30

10:54:32

10:54:33

10:54:38

10:54:40

10:54:44

10:54:44

10:54:48

10:54:52

10:55:10

10:55:14

10:55:17

10:55:19

10:55:24

10:56:13

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Transcript of Stephen Chen

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1	Q. You can leave it there.	10:56:15
2	(Exhibit 32 marked for identification - Exhibit 4	10:57:05
3	previously filed in court hearing)	10:57:05
4	BY MR. MICHAEL:	10:57:13
5	Q. Mr. Chen, I've handed you what's been	10:57:15
6	marked as Exhibit 32. I will represent to you	10:57:17
7	that this is an exhibit that was filed with the	10:57:20
8	court in connection with the parties' briefing on	10:57:25
9	a jurisdictional dispute, and what it purports to	10:57:33
10	contain is a certified translation of a	10:57:36
11	taidaily.com article, and it is titled "Taiwan	10:57:38
12	DRAM industry veteran Stephen Chen to assist	10:57:49
13	China's Jinhua in plant construction".	10:57:53
14	Mr. Chen, can you turn to the page that	10:58:41
15	has a picture of an individual. Is that you,	10:58:43
16	Mr. Chen?	10:58:52
17	A. (In English) Yes. The picture is when	10:58:54
18	I worked at Rexchip. (Chinese spoken).	10:58:57
19	Q. It's a very complimentary picture.	10:59:04
20	A. But it's not a current picture. It's	10:59:08
21	an old picture.	10:59:11
22	A. (In English) 10 years ago.	10:59:13
23	A. 10 years ago, when I was working for	10:59:15
24	Rexchip.	10:59:17
25	Q. Above your picture, there's a line that	10:59:18

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Transcript of Stephen Chen

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1 reads:

10:59:22

2 "... UMC agreed to the appointment of
3 Stephen Chen as president of JHICC to assist in
4 plant construction."

10:59:24

10:59:25

10:59:28

5 Do you see that?

10:59:32

6 A. Yes.

10:59:46

7 Q. Was that your understanding of your
8 appointment by UMC in February 2017, was to assist
9 in plant construction at Jinhua?

10:59:50

10:59:51

10:59:57

10 A. Yes.

11:00:12

11 Q. And if I could ask you to look to the
12 last sentence on that page, it reads:

11:00:15

11:00:17

13 "JHICC would commence mass production as
14 early as in 2018 and Stephen Chen would not
15 participate in JHICC's operation going forward,
16 UMC said."

11:00:20

11:00:26

11:00:30

11:00:38

17 Do you see that?

11:00:44

18 A. Yes.

11:00:51

19 Q. Is it your understanding that you will no
20 longer participate in Jinhua's operations once
21 Jinhua commences production of DRAM products?

11:00:54

11:00:57

11:01:04

22 A. It was the work condition approved by the
23 board of directors. However, there is yet to be
24 a clear decision. If necessary, it is needed for
25 the board of directors to again dissolve the

11:01:43

11:01:47

11:01:51

11:01:55

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1 non-compete restriction.

11:01:58

2 Q. So you don't know if you're going to
3 remain on with Jinhua or not?

11:02:01

4 A. That is correct.

11:02:21

5 (Exhibit 33 marked for identification - Exhibit C

11:03:00

6 previously filed in court hearing)

11:03:00

7 BY MR. MICHAEL:

11:03:06

8 Q. Mr. Chen, we've marked as Exhibit 33 what
9 I'll represent to you is another exhibit that was
10 filed in the court proceedings between the parties
11 in connection with the jurisdictional motion, and
12 if you look at page 2, it contains the cover sheet
13 for a UMC SEC filing, and the remainder of the
14 document are various pages of that SEC filing.

11:03:07

15 And if you look at the top right corner,
16 there are page numbers. Can I ask you to turn to
17 page 16 of 20. And at the top of the page, there
18 is a heading that is, states, "DRAM Technology
19 Cooperation Agreement, dated May 13, 2016, between
20 Us and Fujian Jinhua". Do you see that?

11:03:11

21 A. Yes.

11:03:13

22 Q. And the first sentence states:

11:03:20

23 "We entered into a technology cooperation
24 agreement with Fujian Jinhua on May 13, 2016 to
25 jointly develop DRAM related technologies."

11:03:22

11:03:40

11:03:45

11:04:05

11:04:08

11:04:11

11:04:30

11:04:35

11:04:39

11:04:47

11:04:51

11:04:53

11:04:56

11:05:02

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1	Do you see that?	11:05:08
2	A. Yes.	11:05:23
3	Q. Were you involved in negotiating the	11:05:24
4	technology cooperation agreement on behalf of UMC?	11:05:26
5	A. Yes, part of it.	11:05:39
6	Q. Did you sign the agreement on behalf of	11:05:41
7	UMC?	11:05:43
8	A. No.	11:05:48
9	Q. Who signed the agreement on behalf of	11:05:49
10	UMC, if you know?	11:05:51
11	A. Probably somebody from the finance	11:05:58
12	department.	11:06:00
13	Q. And to the best of your knowledge, was	11:06:01
14	that agreement entered into on May 13, 2016? Is	11:06:05
15	that a correct statement?	11:06:08
16	A. I suppose so.	11:06:19
17	Q. And then the next sentence says:	11:06:21
18	"Under the agreement, Fujian Jinhua will	11:06:23
19	provide us with related equipment for our research	11:06:25
20	and development ..."	11:06:30
21	Do you see that?	11:06:33
22	A. Yes.	11:06:41
23	[REDACTED]	11:06:41
24	[REDACTED]	11:06:45
25	[REDACTED]	11:06:48

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1	[REDACTED]	11:06:58
2	[REDACTED]	11:06:59
3	[REDACTED]	11:07:02
4	[REDACTED]	11:07:10
5	[REDACTED]	11:07:12
6	[REDACTED]	11:07:17
7	[REDACTED]	11:07:20
8	[REDACTED]	11:07:25
9	[REDACTED]	11:07:26
10	[REDACTED]	11:07:28
11	[REDACTED]	11:07:31
12	[REDACTED]	11:07:35
13	[REDACTED]	11:07:37
14	[REDACTED]	11:08:02
15	[REDACTED]	11:08:03
16	[REDACTED]	11:08:04
17	[REDACTED]	11:08:06
18	[REDACTED]	11:08:12
19	[REDACTED]	11:08:12
20	[REDACTED]	11:08:15
21	[REDACTED]	11:08:21
22	Q. Aside from you, Mr. Chen, who at Jinhua	11:08:24
23	is involved in the procurement -- strike the	11:08:36
24	question.	11:08:39
25	MR. JOHNSON: It's gone over an hour.	11:09:04

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Transcript of Stephen Chen

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1 You want to break now or you want to ask another
 2 couple of questions before we break?

11:09:06

3 MR. MICHAEL: We can break.

11:09:08

4 MR. JOHNSON: All right.

11:09:14

5 THE VIDEOGRAPHER: We are going off the
 6 record. The time is 11:09 a.m.

11:09:16

7 (Break taken)

11:09:17

8 THE VIDEOGRAPHER: We are back on the
 9 record. The time is 11:28 a.m.

11:09:19

10 BY MR. MICHAEL:

11:28:41

11 Q. Mr. Chen, you testified that you were
 12 involved with negotiating portions of the
 13 technology cooperation agreement between UMC and
 14 Jinhua; correct?

11:28:42

15 A. Yes.

11:28:49

16 Q. What parts of the agreement were you
 17 responsible for negotiating?

11:28:51

18 [REDACTED]

11:28:53

19 [REDACTED]

11:28:57

20 [REDACTED]

11:29:00

21 [REDACTED]

11:29:13

22 [REDACTED]

11:29:15

23 [REDACTED]

11:29:17

24 Q. What was the timeframe of technology
 25 development that was ultimately agreed to as part

11:30:03

11:30:08

11:30:24

11:30:27

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Transcript of Stephen Chen

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1	of the agreement?	11:30:30
2	A. So it should be February or March of	11:30:48
3	2016. But the whole -- but the whole project	11:30:52
4	needed to be approved by the Taiwanese government.	11:31:04
5	That is why the board of directors of UMC approved	11:31:08
6	in May.	11:31:12
7	Q. You said that you were involved with	11:31:15
8	negotiating the timeframe for technology	11:31:17
9	development; correct?	11:31:19
10	A. Yes.	11:31:27
11	Q. Can you tell me what that timeframe was	11:31:28
12	that was set forth in the cooperation agreement,	11:31:33
13	if any?	11:31:36
14	A. So the timeframe of the whole project was	11:31:58
15	four years, and within that four years of	11:32:02
16	timeframe, two generations of technologies were to	11:32:08
17	be developed.	11:32:12
18	Q. What were those two generations?	11:32:14
19	A. So according to our definition, it was	11:32:33
20	F32 and F32 shrink version.	11:32:36
21	Q. What does F32 stand for?	11:32:45
22	A. So the cell size was 6 F square. "F"	11:33:01
23	stands for 32 nanometer.	11:33:10
24	Q. The F32 product design was for a 32	11:33:19
25	nanometer DRAM device?	11:33:22

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Transcript of Stephen Chen

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1	A. So the feature size is 32.	11:33:35
2	Q. What's the technology node for the F32?	11:33:38
3	A. The reason that we defined the name this	11:34:00
4	way was because we didn't want to compare based on	11:34:04
5	technology nodes. We wanted to compare based on	11:34:08
6	cell size.	11:34:11
7	Q. Does the F32 compare to a 25 nanometer	11:34:15
8	DRAM device?	11:34:21
9	A. Not entirely.	11:34:34
10	Q. How does it differ?	11:34:38
11	A. The minimum print pattern for some of	11:34:51
12	them, it could be less than 20 nanometers.	11:34:54
13	Because it is different from the layout of the	11:35:04
14	cell.	11:35:06
15	THE CHECK INTERPRETER: I'm sorry,	11:35:10
16	correction to the last sentence.	11:35:11
17	"Because it depends on the layout of the	11:35:13
18	cell."	11:35:15
19	BY MR. MICHAEL:	11:35:21
20	Q. In the four-year development time period,	11:35:21
21	how much of that time was UMC committed to R&D for	11:35:26
22	the F32?	11:35:30
23	A. (In English) At least two years.	11:35:44
24	Q. And in February 2016, how many	11:35:49
25	DRAM-experienced engineers worked at UMC?	11:36:01

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Transcript of Stephen Chen

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1	A. There were some who were already with UMC	11:36:36
2	back then who had DRAM experience. UMC also hired	11:36:39
3	some from outside.	11:36:45
4	Q. Approximately how many experienced	11:36:48
5	engineers in DRAM technology existed at UMC in	11:36:50
6	February 2016?	11:36:56
7	MR. JOHNSON: Don't guess. Give him your	11:37:07
8	best approximation, if you know.	11:37:09
9	A. (In English) I have no idea.	11:37:25
10	BY MR. MICHAEL:	11:37:32
11	Q. Okay.	11:37:32
12	A. Because there is common ground between	11:37:44
13	DRAM and semiconductor technologies, so I cannot	11:37:49
14	say that somebody who only specializes in pure	11:37:52
15	DRAM technologies or pure logic technologies. So	11:37:56
16	a lot of engineers have expertise in various	11:38:00
17	aspects.	11:38:04
18	Q. If you know, in February 2016, how many	11:38:06
19	engineers were employed at Jinhua with DRAM	11:38:14
20	experience?	11:38:18
21	MR. JOHNSON: Objection. Instruct not to	11:38:27
22	answer.	11:38:29
23	A. (Chinese spoken).	11:38:35
24	MR. MICHAEL: What's the instruction	11:38:36
25	based on?	11:38:37

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Transcript of Stephen Chen

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<p>1 MR. JOHNSON: Well, this testimony is 2 supposedly limited to recruiting. He can testify 3 his understanding as it relates to the information 4 at UMC. He is not going to testify about what is 5 going on at Jinhua. That's not the subject of 6 this deposition.</p> <p>7 MR. MICHAEL: So they have a joint 8 development agreement with Jinhua. I'm trying to 9 establish how many experienced DRAM engineers 10 exist at UMC and Jinhua as part of this joint 11 development agreement so that we can assess the 12 needs for recruiting. So these are foundational 13 questions --</p> <p>14 MR. JOHNSON: I don't think --</p> <p>15 MR. MICHAEL: -- and they're based on his 16 background and experience solely as a UMC employee 17 in February 2016.</p> <p>18 MR. JOHNSON: You asked him for his 19 knowledge of how many engineers existed at Jinhua 20 at the time.</p> <p>21 MR. MICHAEL: Yep.</p> <p>22 MR. JOHNSON: Right? And he can testify 23 about his understanding --</p> <p>24 MR. MICHAEL: That's all I'm asking.</p> <p>25 MR. JOHNSON: -- when he was at UMC.</p>	<p>11:38:41 11:38:42 11:38:45 11:38:49 11:38:53 11:38:56 11:38:57 11:38:58 11:39:00 11:39:04 11:39:09 11:39:11 11:39:14 11:39:14 11:39:14 11:39:16 11:39:19 11:39:22 11:39:23 11:39:26 11:39:29 11:39:30 11:39:33 11:39:35 11:39:38</p>
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Transcript of Stephen Chen

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1	[REDACTED]	11:41:35
2	[REDACTED]	11:41:38
3	[REDACTED]	11:41:43
4	[REDACTED]	11:41:46
5	[REDACTED]	11:41:48
6	[REDACTED]	11:41:51
7	[REDACTED]	11:41:53
8	[REDACTED]	11:41:59
9	[REDACTED]	11:42:26
10	[REDACTED]	11:42:30
11	[REDACTED]	11:42:35
12	[REDACTED]	11:42:36
13	[REDACTED]	11:42:39
14	[REDACTED]	11:42:56
15	[REDACTED]	11:43:00
16	[REDACTED]	11:43:05
17	[REDACTED]	11:43:20
18	[REDACTED]	11:43:27
19	Q. Thank you, Mr. Chen.	11:43:28
20	My question is -- let me follow up with	11:43:29
21	that.	11:43:31
22	A. (In English) Okay.	11:43:32
23	Q. Are you aware of a document that is	11:43:32
24	called the Manpower Plan?	11:43:34
25	A. You mean at Jinhua?	11:43:48

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Transcript of Stephen Chen

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1	Q. No, UMC.	11:43:50
2	A. No.	11:43:54
3	Q. To your knowledge, did the technology	11:43:56
4	cooperation agreement between UMC and Jinhua	11:43:58
5	oblige UMC to assist with recruiting engineers	11:44:02
6	for the joint DRAM project?	11:44:09
7	A. No, there is no such obligation for UMC.	11:44:28
8	Q. Ultimately, UMC did assist Jinhua with	11:44:35
9	recruiting engineers; correct?	11:44:38
10	A. Well, it was supposedly just me	11:45:02
11	personally asking Jeff and Jennifer from UMC to	11:45:05
12	provide some assistance at CASPA.	11:45:08
13	Q. But UMC assisted Jinhua in recruiting	11:45:15
14	employees for the joint DRAM project; correct?	11:45:17
15	A. Only to assist with the CASPA event, not	11:45:36
16	anything else.	11:45:39
17	Q. Mr. Chen, I've handed you what has been	11:46:19
18	previously marked as Exhibit 30.	11:46:21
19	(Exhibit 30, as previously marked - Document with	11:46:24
20	Bates numbers UMCCORPJ000008 through 12)	11:46:24
21	BY MR. MICHAEL:	11:46:26
22	Q. It's a document that contains the Bates	11:46:33
23	numbers UMCCORPJ000008 through 12.	11:46:36
24	Mr. Chen, can you take a minute and	11:47:07
25	familiarize yourself with this document and let me	11:47:09

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Transcript of Stephen Chen

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1 know if you've seen this before.

11:47:12

2 A. I knew I was going to attend the CASPA
3 event, but I did not see this document before.

11:48:27

4 Q. Mr. Chen, did you present at the CASPA
5 event?

11:48:30

6 A. No.

11:48:43

7 Q. You didn't speak at all during the CASPA
8 event?

11:48:46

9 A. No.

11:48:53

10 Q. Did you attend the CASPA event?

11:48:54

11 A. I attended the job event of Jinhua.

11:49:03

12 I think it was during lunchtime.

11:49:04

13 Q. Can you identify -- it appears from the
14 itinerary here there's three days of the CASPA
15 event. There's Friday, October 21; Saturday,
16 October 22; and Sunday, October 23. Which portion
17 or day did you attend?

11:49:15

18 A. Only on day 3, which is Jinhua's
19 promotion section, so this is the third day of the
20 agenda.

11:49:20

21 Q. If you turn to the last page of this
22 document, Mr. Chen, it says the keynote speaker is
23 Albert Wu, operations VP/COO of Jinhua. Do you
24 see that?

11:49:46

25 A. Yes.

11:49:50

11:49:53

11:50:04

11:50:10

11:50:42

11:50:45

11:50:50

11:50:58

11:51:01

11:51:05

11:51:10

11:51:21

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1 Q. Did you participate with Mr. Wu during
 2 this presentation on day 3?

3 A. I was present.

4 Q. Did you speak?

5 A. I did not speak in the presentation.

6 However, during the Q&A section, I was prompted to
 7 add some information on behalf of UMC regarding
 8 the technical collaboration timeframe in this
 9 joint project.

10 Q. And what information did you add during
 11 the Q&A session?

12 A. I added some information regarding the
 13 technical development which was done by UMC Taiwan
 14 in Tainan, and there would be 300 people involved
 15 in the R&D activities, and hopefully in two years
 16 or three, we were able to complete the technology
 17 development process.

18 Q. And 300 people involved in the R&D
 19 activities at UMC; is that correct?

20 A. That is correct. So in the timeframe of
 21 two years to three years, there would be 300 to
 22 350 head counts allocated to that project.

23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

11:51:30

11:51:34

11:51:43

11:51:44

11:52:04

11:52:06

11:52:11

11:52:16

11:52:22

11:52:27

11:52:29

11:53:01

11:53:05

11:53:11

11:53:15

11:53:19

11:53:24

11:53:26

11:53:29

11:53:50

11:53:53

11:53:57

11:54:06

11:54:10

11:54:14

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1	[REDACTED]	11:54:37
2	[REDACTED]	11:54:39
3	[REDACTED]	11:54:56
4	[REDACTED]	11:54:58
5	[REDACTED]	11:55:22
6	[REDACTED]	11:55:24
7	[REDACTED]	11:55:27
8	[REDACTED]	11:55:33
9	[REDACTED]	11:55:38
10	[REDACTED]	11:55:40
11	[REDACTED]	11:55:47
12	[REDACTED]	11:55:59
13	[REDACTED]	11:56:00
14	[REDACTED]	11:56:03
15	[REDACTED]	11:56:22
16	[REDACTED]	11:56:26
17	[REDACTED]	11:56:40
18	BY MR. MICHAEL:	11:56:52
19	Q. Did you interview engineers during the	11:56:52
20	CASPA event?	11:56:55
21	A. No.	11:57:02
22	Q. Did anyone at UMC, to your knowledge,	11:57:02
23	interview engineers during the CASPA event?	11:57:05
24	A. Based on my understanding, it was	11:57:35
25	Jennifer and Sandy Kuo from UMC who were there to	11:57:39

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Transcript of Stephen Chen

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1 collect resumes, and then they did some
2 interviews.

3 Q. And you were not involved in the
4 interviews; is that your testimony?

5 A. That is correct.

6 [REDACTED] 11:57:44
7 [REDACTED] 11:57:47
8 [REDACTED] 11:57:50
9 [REDACTED] 11:57:52
10 [REDACTED] 11:57:59
11 [REDACTED] 11:58:07
12 [REDACTED] 11:58:14
13 [REDACTED] 11:58:27
14 [REDACTED] 11:58:30
15 [REDACTED] 11:58:43
16 [REDACTED] 11:58:46
17 [REDACTED] 11:58:48
18 [REDACTED] 11:58:51
19 [REDACTED] 11:58:56
20 [REDACTED] 11:58:59
21 [REDACTED] 11:59:02
22 [REDACTED] 11:59:14
23 [REDACTED] 11:59:16
24 [REDACTED] 11:59:18
25 [REDACTED] 11:59:25
[REDACTED] 11:59:44
[REDACTED] 11:59:49
[REDACTED] 11:59:52
[REDACTED] 12:00:00
[REDACTED] 12:00:04

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1	[REDACTED]	12:00:16
2	[REDACTED]	12:00:16
3	[REDACTED]	12:00:19
4	[REDACTED]	12:00:22
5	[REDACTED]	12:00:56
6	[REDACTED]	12:00:58
7	[REDACTED]	12:01:01
8	[REDACTED]	12:01:28
9	[REDACTED]	12:01:29
10	[REDACTED]	12:01:38
11	[REDACTED]	12:01:43
12	[REDACTED]	12:01:46
13	[REDACTED]	12:01:49
14	[REDACTED]	12:01:52
15	[REDACTED]	12:02:05
16	[REDACTED]	12:02:11
17	[REDACTED]	12:02:16
18	Q. Do you know what CASPA stands for?	12:02:23
19	A. I only know the Chinese name of CASPA.	12:02:50
20	I do not know the English name for CASPA. So	12:02:53
21	CASPA is basically a semiconductor association	12:02:57
22	formed by Chinese and American parties.	12:03:03
23	Q. What is your understanding of the reason	12:03:12
24	why UMC and Jinhua attended the CASPA event in	12:03:16
25	October 2016?	12:03:22

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Transcript of Stephen Chen

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1	A. Based on my understanding, the CASPA	12:03:46
2	event was held in October, and six months prior to	12:03:48
3	that, which was in April, SMC [sic] attended. So	12:03:53
4	it is Jinhua's belief that since the companies in	12:04:16
5	the same industry attended this event to introduce	12:04:22
6	themselves to everybody, and then Jinhua was --	12:04:30
7	supposedly also need to go to this event.	12:04:33
8	[REDACTED]	12:04:52
9	[REDACTED]	12:04:58
10	[REDACTED]	12:05:01
11	[REDACTED]	12:05:07
12	[REDACTED] [REDACTED]	12:05:10
13	[REDACTED]	12:05:26
14	[REDACTED]	12:05:32
15	[REDACTED]	12:05:35
16	[REDACTED]	12:05:38
17	[REDACTED] [REDACTED]	12:05:49
18	[REDACTED] [REDACTED]	12:05:53
19	[REDACTED]	12:05:57
20	[REDACTED] [REDACTED] [REDACTED]	12:06:00
21	[REDACTED] [REDACTED]	12:06:06
22	[REDACTED] [REDACTED]	12:06:07
23	[REDACTED] [REDACTED]	12:06:24
24	BY MR. MICHAEL:	12:07:26
25	Q. Mr. Chen, I've handed you what has been	12:07:28

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1 previously marked as Exhibit 9. The first page of
 2 the document says "JHICC Introduction". It looks
 3 to be dated October 2016.

12:07:30

12:07:38

12:07:42

4 For the record, it has the Bates numbers
 5 UMCCORP 17 through 29 -- excuse me, through 30.

12:07:44

12:07:46

6 (Exhibit 9, as previously marked - Document with
 7 Bates numbers UMCCORPJD000017 through 30)

12:07:52

12:07:52

8 BY MR. MICHAEL:

12:08:09

9 Q. Mr. Chen, have you seen this document,
 10 either in its documentary form or in
 11 a presentation before?

12:08:10

12:08:12

12:08:14

12 A. This is a piece of material used in the
 13 CASPA presentation.

12:08:27

12:08:30

14 Q. My question is: have you seen it before?

12:08:32

15 A. You mean before today or before the CASPA
 16 event?

12:08:43

12:08:45

17 Q. Before today.

12:08:47

18 A. Yes, I saw it at the CASPA event.

12:08:50

19 Q. Did you see it before the CASPA event?

12:08:53

20 A. No.

12:09:01

21 Q. Were you involved in the preparation of
 22 any of the information that's contained within
 23 Exhibit 9?

12:09:02

12:09:04

12:09:07

24 A. Yes, some parts of it.

12:09:17

25 Q. Can you identify those parts and what

12:09:20

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1	your involvement was?	12:09:23
2	A. Parts involving technology development	12:09:33
3	and milestones.	12:09:35
4	Q. Can you do me a favor, Mr. Chen, and	12:09:40
5	using the page numbers on the bottom right corner,	12:09:42
6	identify for me the pages where you -- where	12:09:45
7	there's information where you had input?	12:10:03
8	A. Page 23.	12:10:06
9	Q. And what was your involvement in	12:10:09
10	connection with the source of information on	12:10:12
11	page 23?	12:10:14
12	A. I gave the description of the structure	12:10:31
13	of the joint development between Jinhua and UMC.	12:10:34
14	Q. And does the right side of page 23, under	12:10:38
15	the heading "Development & Operation", depict the	12:10:43
16	basic structure of the joint development?	12:10:46
17	A. Yes.	12:11:04
18	Q. And it has UMC doing process development,	12:11:04
19	and Jinhua doing chip manufacture; correct?	12:11:07
20	A. Yes.	12:11:15
21	Q. Is Jinhua also responsible for chip	12:11:20
22	design, or is that a separate entity?	12:11:22
23	A. According to the structure, we ask	12:11:36
24	a design service company to help Jinhua to do	12:11:40
25	product design. So according to the structure,	12:11:43

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1 UMC was to develop the process technologies and
 2 then offer the process technologies, and then
 3 Jinhua can hire design houses to help with the
 4 product design. So this kind of structure is very
 5 similar to the foundry structure of UMC.

6 Q. Was a design service company ultimately
 7 engaged to work on chip design?

8 A. Initially there were two design service
 9 houses involved in the design of the product.

10 Q. And what are the names of those
 11 companies?

12 [REDACTED] 12:13:06
 13 [REDACTED] 12:13:08
 14 [REDACTED] [REDACTED] 12:13:10
 15 [REDACTED] [REDACTED] 12:13:16
 16 [REDACTED] [REDACTED] 12:13:30
 17 [REDACTED] [REDACTED] 12:13:36
 18 [REDACTED] 12:13:50
 19 [REDACTED] 12:13:52

20 Q. Any other information in this document
 21 that you helped source?

22 A. There's another one on page 25 which is
 23 about technology roadmap. I think that's it.

24 Q. Did you create the milestone and
 25 technology roadmap on page 25?

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1	A. It was the result of the joint discussion	12:14:44
2	within the team.	12:14:48
3	Q. And what team are you referring to?	12:14:49
4	A. The R&D team of UMC and the team of	12:15:01
5	Jinhua.	12:15:04
6	Q. This milestone and technology roadmap has	12:15:27
7	construction being completed by year-end 2018. Do	12:15:31
8	you see that?	12:15:35
9	A. Yes.	12:15:50
10	Q. Is that -- let me ask you this, Mr. Chen.	12:15:52
11	This document shows construction and then it	12:16:00
12	shows, for the technology roadmap, it shows	12:16:05
13	production. It does not show research and	12:16:09
14	development. Is that correct?	12:16:12
15	A. So this is the milestone and technology	12:16:53
16	roadmap of Jinhua, and for UMC, there's a matching	12:16:58
17	development chart. So UMC began its R&D work in	12:17:01
18	2016, and hopefully in two years' time, in the	12:17:06
19	second half of 2018, the R&D works of UMC would be	12:17:09
20	able to have some preliminary results so as to	12:17:13
21	have technology transfer to Jinhua.	12:17:17
22	Q. And currently today, how many engineers	12:17:27
23	does UMC have working on research and development	12:17:30
24	for the joint DRAM project?	12:17:33
25	A. I do not recall the exact number, but	12:17:52

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1 based on my memory, it should be around 370.

12:17:56

2 3-0 --

12:18:01

3 THE MAIN INTERPRETER: 3-7-0.

12:18:05

4 BY MR. MICHAEL:

12:18:06

5 Q. Can I ask you to turn to Bates number 28.

12:18:06

6 It has the talent recruiting plan chart. Do the
7 manpower numbers in this chart refer to Jinhua
8 only, or does this include UMC as well?

12:18:11

12:18:26

12:18:33

9 A. Jinhua only.

12:18:46

10 Q. And if you turn to page 30, it says "Job
11 Openings for USA" on the right side. Do you see
12 that? And the job openings for the USA include
13 "Category", "Function" and "Job Description";
14 correct?

12:19:08

12:19:19

12:19:23

12:19:33

12:19:39

15 A. It's a pretty standard chart for any job
16 fairs.

12:20:02

12:20:06

17 Q. And these are showing job openings at
18 both UMC and Jinhua; correct?

12:20:07

12:20:10

19 A. Jinhua only, I think. Nothing to do with
20 UMC. Because it's a --

12:20:22

12:20:27

21 Q. If we look at the first category, the
22 first function is DRAM process technology. Isn't
23 that UMC?

12:20:29

12:20:31

12:20:34

24 A. But it was Jinhua who attended the CASPA
25 event for its recruiting purpose. UMC was only

12:21:00

12:21:06

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1 there to support Jinhua with some manpower. It
 2 was not UMC there to recruit people.

12:21:11

3 THE CHECK INTERPRETER: Minor
 4 clarification to the last sentence.

12:21:15

5 The witness's answer was, "UMC was not
 6 there to recruit people."

12:21:24

7 A. So Jinhua -- there was Jinhua there to
 8 find people for their operation and manufacturing,
 9 not -- not for their R&D. So it was an event for
 10 Jinhua, not for UMC.

12:21:27

11 BY MR. MICHAEL:

12:21:30

12 Q. Why does this chart say, "Job openings
 13 for research and development", Mr. Chen?

12:21:49

14 MR. JOHNSON: And objection. Lack of
 15 foundation. Calls for speculation.

12:21:54

16 You can answer if you know.

12:21:58

17 A. For a newly established company, Jinhua
 18 was only there to have a standard chart for job
 19 openings, for people in the US who were interested
 20 in these job openings. So basically, everything
 21 listed in this chart is very similar to any
 22 company that has job openings, to have such a job
 23 opening description.

12:22:02

24 BY MR. MICHAEL:

12:22:05

25 Q. Mr. Chen, UMC's responsibility under the

12:22:06

12:22:11

12:22:22

12:22:25

12:22:36

12:23:02

12:23:05

12:23:08

12:23:12

12:23:15

12:23:19

12:23:24

12:23:27

12:23:28

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1	technical cooperation agreement with Jinhua	12:23:32
2	includes development of DRAM process technology;	12:23:35
3	correct?	12:23:41
4	A. Yes.	12:23:58
5	Q. Mr. Chen, I've handed you what was	12:24:30
6	previously marked as Exhibit 29. I just have	12:24:33
7	a couple of questions on this document.	12:24:39
8	(Exhibit 29, as previously marked - Document with	12:24:42
9	Bates numbers UMCCORPJ000041 through 46)	12:24:42
10	BY MR. MICHAEL:	12:24:50
11	Q. For the record, it bears the Bates stamp	12:24:50
12	number UMCCORPJ0 41 through 46.	12:24:53
13	Mr. Chen, I'd like to ask you to turn to	12:25:08
14	the back half of this document, starting at number	12:25:13
15	44. This appears to include a schedule for a	12:25:16
16	multi-day trip to northern California in I believe	12:25:30
17	the October 2016 time period.	12:25:39
18	A. (In English) Yes.	12:25:48
19	Q. Can you tell me what the schedule	12:25:49
20	starting at page 44 reflects?	12:25:52
21	A. So it says that on day 1, CASPA annual	12:26:22
22	event starts, and Jinhua's people will attend. On	12:26:26
23	day 2, there was a job fair of Jinhua, and	12:26:42
24	I personally attended. And on day 3, after the	12:26:45
25	event completes, there were some tours arranged to	12:27:00

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1	visit the suppliers. So that's about it.	12:27:04
2	Q. And the suppliers that were going to be	12:27:18
3	visited included KLA, Lam Research, and Applied	12:27:21
4	Materials; correct?	12:27:24
5	A. Yes. So it's a one-day schedule.	12:27:31
6	Q. Mr. Chen, can I turn your direct	12:27:40
7	attention to the next page, which lists the names	12:27:42
8	of 12 individuals with positions at companies	12:27:47
9	including Jinhua, UMC, and then the final four are	12:27:52
10	with the -- it looks like the government of China.	12:27:56
11	A. Yes, they are also Jinhua's shareholders.	12:28:27
12	Q. Who is also Jinhua's shareholders?	12:28:30
13	A. So people from Jinjiang City and Quanzhou	12:28:46
14	City.	12:28:52
15	Q. So are all -- number 9, 10, 11 and 12 are	12:28:54
16	all Jinhua shareholders?	12:28:59
17	A. I think only two of them are Jinhua's	12:29:17
18	shareholders. The other two are their staff.	12:29:19
19	Q. Mr. Chen, did all 12 of these individuals	12:29:21
20	travel to the United States in October 2016 as	12:29:26
21	part of the CASPA event?	12:29:32
22	A. Yes, they all went. But the four did not	12:29:51
23	really attend. They were there to sort of look at	12:30:18
24	Jinhua's activities.	12:30:21
25	Q. The four government individuals is who	12:30:25

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1	you're referring to; correct, Mr. Chen?	12:30:27
2	A. Yes.	12:30:32
3	Q. Which of these individuals attended the	12:30:32
4	visits to the vendors?	12:30:37
5	A. So the four individuals from the	12:31:00
6	government were there to visit the vendors mainly.	12:31:01
7	They were not there to recruit people.	12:31:04
8	Q. Okay. Let me ask you this question.	12:31:08
9	Mr. Chen, did all four UMC employees	12:31:15
10	identified on Exhibit -- Exhibit 29 at Bates	12:31:17
11	number 45 attend the visits to the semiconductor	12:31:28
12	equipment vendors?	12:31:36
13	A. Are you asking about the four from UMC?	12:31:57
14	Q. Yes.	12:32:00
15	A. I'm not sure about Jeff, but I remember	12:32:15
16	the other three went.	12:32:18
17	Q. What about the four employees from	12:32:20
18	Jinhua? Did all of them attend the visits to the	12:32:23
19	semiconductor equipment vendors?	12:32:29
20	A. Individual number 1 and individual number	12:32:49
21	2 did not go because they didn't get the visa. So	12:32:51
22	supposedly it was the chairman who was to give	12:33:06
23	a speech at the CASPA event, but he couldn't come,	12:33:09
24	so it was Albert Wu who gave the speech.	12:33:12
25	Q. So in total, it was four UMC employees	12:33:17

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1 and two Jinhua employees at the CASPA event;
 2 correct?
 3 A. Yes. But it was mainly people from
 4 Jinhua and people from UMC who attended CASPA and
 5 participated in CASPA. People who were
 6 individuals from the government were there just
 7 looking and visiting. None of the four people
 8 from the government made any speech at the CASPA
 9 event.

10 Q. Understood.

11 [REDACTED] 12:34:26
 12 [REDACTED] 12:34:35
 13 [REDACTED] 12:34:40
 14 [REDACTED] 12:34:58
 15 [REDACTED] [REDACTED] 12:35:06
 16 [REDACTED] [REDACTED] 12:35:18
 17 [REDACTED] 12:35:20
 18 [REDACTED] 12:35:25
 19 [REDACTED] 12:35:26
 20 [REDACTED] 12:35:28
 21 [REDACTED] 12:35:34
 22 [REDACTED] 12:35:46
 23 [REDACTED] 12:35:51
 24 [REDACTED] 12:35:54
 25 [REDACTED] 12:35:56

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1 [REDACTED] 12:36:07
2 [REDACTED] 12:36:10
3 [REDACTED] 12:36:13
4 Q. And the next column over, there's a name 12:36:14
5 "Wayne Lu, UMC Account Sales". Do you see that? 12:36:17
6 A. Yes. 12:36:30
7 Q. Is that a different Wayne than the Wayne 12:36:32
8 that we were -- you testified to earlier? 12:36:35
9 A. (In English) Different, different. He's 12:36:41
10 a sales engineer of Applied Materials who 12:36:42
11 responsible for UMC account. So it's an employee 12:36:44
12 of the Applied Materials. 12:36:49
13 Q. Understood. That's the Applied Materials 12:36:50
14 employee who's responsible for the UMC account. 12:36:55
15 [REDACTED] 12:37:09
16 [REDACTED] 12:37:14
17 [REDACTED] 12:37:20
18 [REDACTED] 12:37:24
19 [REDACTED] 12:37:48
20 [REDACTED] 12:37:50
21 [REDACTED] 12:38:40
22 [REDACTED] 12:38:40
23 [REDACTED] 12:38:40
24 [REDACTED] 12:38:42
25 [REDACTED] 12:38:47

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1	[REDACTED]	12:38:51
2	[REDACTED]	12:38:55
3	[REDACTED]	12:39:02
4	[REDACTED]	12:39:06
5	[REDACTED]	12:39:08
6	[REDACTED]	12:39:12
7	[REDACTED]	12:39:16
8	[REDACTED]	12:39:16
9	[REDACTED]	12:39:17
10	[REDACTED]	12:39:20
11	[REDACTED]	12:39:23
12	[REDACTED]	12:39:42
13	[REDACTED]	12:39:56
14	[REDACTED]	12:39:59
15	[REDACTED]	12:40:03
16	[REDACTED]	12:40:16
17	[REDACTED]	12:40:18
18	[REDACTED]	12:40:22
19	[REDACTED]	12:40:31
20	Q. Mr. Chen, let me ask you to think back to	12:40:33
21	your time when you were employed by Micron. Are	12:40:35
22	you familiar with Micron's series 110 products?	12:40:39
23	A. I knew about it, but I didn't have any	12:40:58
24	involvement. Because the technology was not	12:41:01
25	introduced or adopted until after I left Micron.	12:41:11

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1	[REDACTED]	12:51:14
2	[REDACTED]	12:51:29
3	[REDACTED]	12:51:31
4	[REDACTED]	12:51:37
5	[REDACTED]	12:51:38
6	[REDACTED]	12:51:41
7	[REDACTED]	12:51:43
8	[REDACTED]	12:51:44
9	[REDACTED]	12:51:49
10	[REDACTED]	12:51:50
11	[REDACTED]	12:51:53
12	[REDACTED]	12:51:58
13	[REDACTED]	12:52:11
14	[REDACTED]	12:52:18
15	[REDACTED]	12:52:20
16	[REDACTED]	12:52:22
17	[REDACTED]	12:52:27
18	[REDACTED]	12:52:41
19	[REDACTED]	12:52:42
20	[REDACTED]	12:52:50
21	[REDACTED]	12:52:53
22	[REDACTED]	12:53:04
23	[REDACTED]	12:53:06
24	[REDACTED]	12:53:12
25	[REDACTED]	12:53:32

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1	[REDACTED]	12:53:35
2	[REDACTED]	12:53:42
3	[REDACTED]	12:53:45
4	[REDACTED]	12:53:48
5	[REDACTED]	12:53:53
6	[REDACTED]	12:54:09
7	Q. Mr. Chen, when you were employed by	12:54:21
8	Micron, are you aware that employees were able to	12:54:23
9	share and access information using various	12:54:27
10	file-sharing sites like SharePoint sites; correct?	12:54:33
11	A. Yes, I was aware of it.	12:54:52
12	Q. And you were aware that documents that	12:54:54
13	were used by employees all around the world at	12:54:57
14	Micron were stored at Micron's headquarters in	12:55:01
15	Boise, Idaho; correct?	12:55:06
16	A. I only know that the documents are	12:55:34
17	available on, for example, SharePoint or the agent	12:55:36
18	of SharePoint. But exactly where the documents	12:55:40
19	are stored, I don't know.	12:55:43
20	Q. Well, you testified earlier that you're	12:55:45
21	aware Fab 4 is located in Boise, Idaho; correct?	12:55:47
22	A. Yes.	12:55:58
23	Q. And if a document is related to Fab 4, is	12:55:58
24	it fair to say that you would understand that	12:56:03
25	document was likely stored in Boise, Idaho?	12:56:06

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1 MR. JOHNSON: Objection. Calls for
 2 speculation and conjecture.

3 A. That, I am not clear. Basically in
 4 Micron Taiwan, there were no people directly
 5 involved in the technologies of Fab 4.

6 THE CHECK INTERPRETER: Sorry, the
 7 witness's answer was, "I am not clear about that.
 8 At Micron Taiwan, we did not have a contact window
 9 with Fab 4."

10 A. We are a manufacturing site, and we have
 11 a technology transfer team, but we don't have
 12 direct contact with Fab 4.

13 BY MR. MICHAEL:

14 Q. Did employees at Micron Taiwan have
 15 access to Fab 4 technical documentation?

16 A. Theoretically, no.

17 Q. Did they in fact have access to those
 18 documents?

19 MR. JOHNSON: Objection. Speculation.

20 A. That, I'm not clear. We could access
 21 information on SharePoint, but supposedly there
 22 was no direct contact with Fab 4.

23 BY MR. MICHAEL:

24 Q. Based on your experience working at
 25 Micron, if you were provided with a document

12:56:10

12:56:11

12:56:32

12:56:44

12:56:48

12:56:54

12:56:54

12:56:59

12:57:04

12:57:16

12:57:21

12:57:24

12:57:28

12:57:29

12:57:32

12:57:48

12:57:50

12:57:53

12:57:54

12:58:13

12:58:16

12:58:20

12:58:23

12:58:24

12:58:29

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1 related to Fab 4, would you understand the source
 2 of that document and where it came from?

12:58:31

3 MR. JOHNSON: Objection. Calls for
 4 speculation and conjecture.

12:58:35

5 A. Based on my understanding, the employees
 6 only download documents from the website. So
 7 SharePoint is a website. I don't think they would
 8 know the source of the documents or where the
 9 documents came from. And also, my supervisor is
 10 located in Singapore. I also attended some
 11 meetings where -- on SharePoint. So I only know
 12 that the data came from SharePoint.

12:58:37

12:58:39

13 THE CHECK INTERPRETER: Sorry, correction
 14 to the witness's answer's interpretation.

12:59:13

12:59:16

15 The witness's full answer was, "Based on
 16 my understanding, the employees only download
 17 documents from the website. SharePoint is
 18 a possible location or source for the download.

12:59:18

12:59:22

19 I don't think they would know the source of the
 20 documents or where the documents came from. For
 21 example, my supervisor is located in Singapore.
 22 I have attended many meetings with him, and the
 23 information of the meetings was kept on
 24 SharePoint. So he is from Singapore. I would not
 25 know where the data from -- on SharePoint comes

12:59:25

12:59:44

12:59:47

12:59:55

13:00:02

13:00:04

13:00:08

13:00:13

13:00:16

13:00:19

13:00:24

13:00:27

13:00:29

13:00:31

13:00:36

13:00:38

13:00:43

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Transcript of Stephen Chen

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1	from."	13:00:45
2	BY MR. MICHAEL:	13:00:47
3	Q. Mr. Chen, during your time at Micron, did	13:00:48
4	you ever see a document relating to Fab 4?	13:00:50
5	A. (In English) Never.	13:01:00
6	Q. Never?	13:01:01
7	A. (In English) No, never.	13:01:02
8	Q. And if you had seen a document relating	13:01:04
9	to Fab 4, would you assume that document came from	13:01:05
10	Singapore?	13:01:09
11	MR. JOHNSON: Objection. Calls for	13:01:11
12	speculation and conjecture. If he hadn't seen any	13:01:12
13	documents, why are you speculating what he might	13:01:15
14	have thought if he had --	13:01:18
15	MR. MICHAEL: State your objection and	13:01:22
16	leave it at that, please.	13:01:23
17	A. (In English) I never see --	13:01:34
18	A. I have never seen any documents related	13:01:39
19	to Fab 4. It would be very hard for me to assume	13:01:43
20	that had I seen such a document, where the	13:01:53
21	document would be from.	13:01:55
22	BY MR. MICHAEL:	13:01:56
23	Q. Is one of the reasons that you've never	13:02:00
24	seen a document from Fab 4 is because documents	13:02:02
25	related to Fab 4 are likely stored in Boise,	13:02:04

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Transcript of Stephen Chen

Conducted on July 10, 2018

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1	Idaho?	13:02:08
2	MR. JOHNSON: Objection. That calls for	13:02:10
3	speculation and conjecture.	13:02:12
4	A. Based on my understanding, in terms of	13:02:42
5	the technical support, our contact window is not	13:02:47
6	from Fab 4, so we hardly have any contact with	13:02:53
7	Fab 4.	13:02:57
8	BY MR. MICHAEL:	13:03:00
9	Q. What contact window are you referring to?	13:03:00
10	What does that mean?	13:03:02
11	A. Our technology transfer mainly came from	13:03:37
12	Japan, when we developed the 25 nanometer	13:03:41
13	technologies. So in terms of technology transfer,	13:03:45
14	Rexchip mostly worked with Japan. And after the	13:03:48
15	acquisition by Micron, Rexchip was not allowed to	13:03:51
16	have any direct contact with Micron's R&D	13:03:56
17	activities. So us as a fab does not have any	13:04:01
18	direct contact with the R&D department.	13:04:06
19	Q. Are you saying, Mr. Chen, that Micron	13:04:08
20	Taiwan employees had no reason to have Fab 4	13:04:11
21	documentation?	13:04:18
22	MR. JOHNSON: Objection. Misstates the	13:04:30
23	testimony.	13:04:34
24	A. So basically, the R&D department has the	13:04:57
25	authority to decide who to be on the list, to have	13:05:03

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Transcript of Stephen Chen

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1 access to the documents kept on SharePoint.

13:05:08

2 BY MR. MICHAEL:

13:05:14

3 Q. What R&D department?

13:05:15

4 THE CHECK INTERPRETER: Sorry, sorry,

13:05:17

5 sorry.

13:05:19

6 The witness's full answer was, "That is
7 true for technical-related issues. It is possible
8 that they would also have a taskforce and they
9 would need to access SharePoint. However, R&D
10 would decide who has authority to access those
11 documents on SharePoint. They would have a list.
12 If you are not one of the members, you would not
13 be on the list, and therefore be unable to know
14 what kind of documents are on SharePoint."

13:05:20

13:05:22

13:05:25

13:05:28

13:05:32

13:05:35

13:05:39

13:05:42

13:05:45

15 A. I am not sure who is on the member list.

13:05:58

16 At least I'm not on the list, so I have so
17 visibility in terms of which documents are
18 available on SharePoint.

13:06:03

13:06:07

13:06:09

19 BY MR. MICHAEL:

13:06:12

20 Q. When you refer to the R&D department as
21 having authority, where is that R&D department
22 located?

13:06:12

13:06:15

13:06:19

23 A. Fab 4, which is in Idaho.

13:06:32

24 Q. And in order for Micron Taiwan employees
25 to have access to Fab 4 technical documents, the

13:06:39

13:06:42

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1 R&D department of Fab 4 would have to authorize
 2 that access?

3 A. Supposedly, yes. When I was with Micron,
 4 our technologies did not come from Fab 4. So we
 5 had no contact with Fab 4. But what happened
 6 after I left Micron, I don't know.

7 Q. What about technical documents related to
 8 Micron's series 110 products? Do you have any
 9 knowledge where technical documents related to the
 10 110 series products were stored at Micron?

11 A. I do not know, because it was until after
 12 I left Micron that Micron adopted 110 series.

13 Q. To the best of your knowledge, does
 14 Micron store technical documents regarding DRAM in
 15 the United States?

16 A. Based on my understanding, I believe that
 17 the DRAM technologies of Micron are in Japan.

18 A. (In English) Because we always choose
 19 technologies from Japan, so for most of our
 20 employees, we see the technology -- of course,
 21 directly, we contact the Japan site.

22 Q. When you say that Micron's DRAM
 23 technologies are in Japan, are you referring to
 24 Micron Technology, Inc. DRAM technology, or are
 25 you referring to Micron Taiwan DRAM technology?

13:06:47

13:06:51

13:07:11

13:07:28

13:07:33

13:07:37

13:07:50

13:07:52

13:08:05

13:08:07

13:08:23

13:08:25

13:08:45

13:08:46

13:08:52

13:09:08

13:09:11

13:09:14

13:09:14

13:09:29

13:09:32

13:09:35

13:09:38

13:09:42

13:09:48

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1 A. Micron Japan still belongs to Micron. 13:10:20

2 THE MAIN INTERPRETER: Should I translate 13:10:33
3 the question again? 13:10:344 THE CHECK INTERPRETER: That was the full 13:10:35
5 answer. 13:10:36

6 BY MR. MICHAEL: 13:10:38

7 Q. Is it your understanding that all Micron 13:10:38
8 technology related to DRAM is stored in Japan? 13:10:419 A. The technologies are downloaded from the 13:11:14
10 servers of the company onto our computer. So it's 13:11:18
11 really hard to tell where exactly the source is. 13:11:22
12 And the site that we contact is mainly in Japan, 13:11:27
13 and basically -- I'm talking about, for example, 13:11:31
14 the mailing address is always Japan. 13:11:3515 THE CHECK INTERPRETER: Sorry, my 13:11:39
16 rendition would be a bit different. 13:11:4017 The witness's answer was, "We would 13:11:42
18 download the documents from the website. 13:11:50
19 Basically what we do is we connect our PCs to the 13:11:53
20 company's server, but we do not know where those 13:11:56
21 servers connect to. When I talked about Japan, 13:11:59
22 I was referring to, for example, mail addresses, 13:12:02
23 and they appear to be from Japan." 13:12:05

24 BY MR. MICHAEL: 13:12:09

25 Q. When you're referring to mail addresses, 13:12:09

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1 are you referring to URLs? Is that what you mean? 13:12:12

2 A. (In English) URL? No idea. URL just -- 13:12:16

3 Q. What do you mean by "mailing addresses"? 13:12:44

4 THE COURT REPORTER: Sorry, I didn't get 13:12:44
5 the translation. 13:12:44

6 MR. MICHAEL: My apologies. 13:12:44

7 THE MAIN INTERPRETER: He actually spoke 13:12:44
8 English. 13:12:44

9 "So for URL, I don't know what URL is." 13:12:44

10 A. When we saw the mail address, it says 13:12:59
11 Japan or .jp, and it appeared to us to be 13:13:03
12 Japanese, and we didn't really think where they 13:13:07
13 exactly link to. 13:13:11

14 BY MR. MICHAEL: 13:13:17

15 Q. Are you familiar with the SharePoint site 13:13:17
16 or password-protected Micron site called 13:13:21
17 collab.micron.com? 13:13:26

18 A. I have no clarity. I was not one of the 13:13:48
19 members, so for most of the times, I have no 13:13:51
20 access. 13:13:54

21 Q. You're aware that Micron Technology 13:13:55
22 Inc.'s headquarters are in Boise, Idaho? 13:14:00

23 MR. JOHNSON: Objection. Asked and 13:14:08
24 answered. 13:14:09

25 A. Yes, I am aware of it. 13:14:17

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1 BY MR. MICHAEL:

13:14:24

2 Q. And to the best of your knowledge, the
 3 intellectual property of the various Micron
 4 entities are -- is owned by Micron Technology Inc.
 5 Is that correct?

13:14:25

13:14:27

13:14:29

13:14:34

6 MR. JOHNSON: Objection. Calls for
 7 speculation and conjecture. Also a legal
 8 conclusion.

13:14:34

13:14:37

13:14:39

9 A. I am not clear about it.

13:15:00

10 BY MR. MICHAEL:

13:15:06

11 Q. Have you ever accessed a Micron
 12 password-protected website since you left Micron?

13:15:07

13:15:09

13 A. (In English) Never.

13:15:22

14 A. I have never accessed.

13:15:26

15 Q. Are you aware of any UMC employee
 16 accessing a Micron password-protected website?

13:15:31

13:15:34

17 A. (In English) I have no idea.

13:15:47

18 Q. And in your entire time while you've been
 19 employed at UMC, you have never seen any Micron
 20 technical documents in the possession of UMC or
 21 UMC employees; is that correct?

13:15:51

13:15:53

13:15:58

13:16:02

22 A. I have never seen any in this entire time
 23 being employed by UMC.

13:16:19

13:16:24

24 MR. MICHAEL: I have no further
 25 questions.

13:16:29

13:16:31

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1	MR. JOHNSON: I have some questions.	13:16:32
2	EXAMINATION BY MR. JOHNSON:	13:16:33
3	Q. First, did you work for Rexchip?	13:16:38
4	A. (In English) Yes.	13:16:40
5	A. Yes.	13:16:42
6	Q. What technology did you develop while	13:16:43
7	working at Rexchip?	13:16:45
8	A. We had technology transfer from Japan, so	13:16:58
9	we transferred from 70 nanometer to 25 nanometer.	13:17:01
10	Q. And are you referring now to DRAM	13:17:07
11	technology?	13:17:09
12	A. Yes.	13:17:12
13	Q. And was this DRAM technology developed in	13:17:14
14	Japan?	13:17:19
15	A. Yes.	13:17:24
16	Q. And was the company in Japan who	13:17:25
17	developed the technology Elpida?	13:17:28
18	MR. MICHAEL: Objection. Calls for	13:17:33
19	speculation.	13:17:35
20	A. So when we transferred to 25 nanometer,	13:17:57
21	it was 2013. And before that, the company was	13:18:02
22	called Elpida. It was until August 2013 that	13:18:05
23	Micron acquired Elpida.	13:18:10
24	BY MR. JOHNSON:	13:18:14
25	Q. All right. When did you work with	13:18:14

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1 Elpida, for what period of time?

13:18:16

2 THE CHECK INTERPRETER: "(Chinese
3 spoken)".

13:18:29

4 A. When I worked for Powerchip, I began to
5 work with Elpida.

13:18:31

6 BY MR. JOHNSON:

13:18:36

7 Q. And you began working for Powerchip when?

13:18:39

8 A. 1996.

13:18:40

9 Q. And what -- what work did you do with
10 Elpida while you were with Powerchip?

13:18:49

11 A. Back then, I was the VP of Powerchip, so
12 I was involved in technology transfer. I was also
13 involved in yield improvement.

13:18:52

14 Q. What was Elpida's business when you were
15 working at Powerchip, if you know?

13:18:57

16 A. It was a company involved in DRAM R&D,
17 sales, and manufacturing.

13:19:28

18 Q. Did Elpida assist Powerchip with DRAM
19 R&D?

13:19:31

20 A. Mostly about technology transfer.

13:19:37

21 Q. Okay. And did you -- when you were with
22 Rexchip, did you work with Elpida?

13:19:40

23 A. Yes.

13:19:42

24 Q. And did that involve technology transfer
25 too?

13:20:02

13:20:03

13:20:08

13:20:19

13:20:21

13:20:24

13:20:31

13:20:32

13:20:35

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1 A. Back then, I was the president of the
 2 company, so I was mainly in charge of the
 3 milestone. In terms of the technology transfer
 4 and the details of the technology transfer, we had
 5 other people in charge of those.

6 Q. Okay. Now, when you started at UMC at
 7 the end of 2015, I believe you testified that you
 8 were involved with making a decision about whether
 9 to go into the DRAM development; is that correct?

10 A. Yes.

11 Q. Do -- can you tell us what benchmarking
 12 is?

13 A. It was an internal discussion back then
 14 regarding technology development. In the market,
 15 there are three main DRAM companies. So we were
 16 to analyze their technologies in order to identify
 17 the future direction for our technology
 18 developments.

19 Q. And which companies' technology did you
 20 analyze?

21 A. So mainly about the three DRAM companies,
 22 and we got information from TechInsight [sic] for
 23 our initial analysis.

24 Q. All right. And what type of information
 25 did you get from TechInsights?

13:20:51

13:20:54

13:20:57

13:21:00

13:21:03

13:21:07

13:21:13

13:21:19

13:21:22

13:21:45

13:21:48

13:21:51

13:22:13

13:22:18

13:22:21

13:22:25

13:22:29

13:22:33

13:22:33

13:22:40

13:22:54

13:22:57

13:23:03

13:23:06

13:23:09

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1 A. They gave us information regarding design 13:23:26
2 rule, design structure, and cell layout. 13:23:30
3 Q. And was one of the companies you 13:23:35
4 benchmark Samsung? 13:23:39
5 A. Yes, of course. Samsung is the leader in 13:23:56
6 this technology, so Samsung is our first priority 13:24:00
7 when it comes to benchmarking. 13:24:05
8 Q. Did you benchmark Hynix? 13:24:06
9 A. Yes. So besides getting technical 13:24:12
10 documents from TechInsight, we also got chips in 13:24:26
11 the market to do reverse-engineering. 13:24:30
12 Q. We'll talk about that. But you 13:24:33
13 benchmark Hynix? 13:24:35
14 A. (In English) Yes. 13:24:38
15 Q. And did you use TechInsights to benchmark 13:24:44
16 Micron? 13:24:49
17 A. Yes. All three is -- all three are 13:24:54
18 included in the information. 13:24:58
19 Q. And did TechInsights give you reports on 13:25:00
20 the technologies of all three? 13:25:05
21 A. Yes. 13:25:19
22 Q. All right. Did you -- you indicated that 13:25:20
23 you did some reverse-engineering. 13:25:21
24 A. Yes. 13:25:26
25 Q. So explain to us what reverse engineering 13:25:27

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1 is.

13:25:31

2 A. What TechInsight offered was technical
 3 directions without detailed analysis. And also it
 4 was just a commercial report. So there were a lot
 5 of our technical interests that could not be
 6 addressed in those reports. So in order for us to
 7 get detailed analysis, we had to do
 8 reverse-engineering. That was why we got chips
 9 for reverse-engineering. Based on my
 10 understanding, UMC had great abilities in terms of
 11 MA, material analysis, as well as FA, failure
 12 analysis labs.

13:25:47

13:25:50

13:25:58

13:26:01

13:26:05

13:26:19

13:26:21

13:26:25

13:26:31

13:26:36

13:26:43

13:26:44

13:26:46

13:26:49

13:26:50

13:26:54

13:26:55

13:26:58

13:27:12

13:27:14

13:27:17

13:27:20

13:27:20

13:27:34

13 Q. Did you reverse-engineer the Samsung
 14 chips?

13:26:44

13:26:46

13:26:49

13:26:50

13:26:54

13:26:55

13:26:58

13:27:12

13:27:14

13:27:17

13:27:20

13:27:20

13:27:34

15 A. Yes.

13:26:44

13:26:46

13:26:49

13:26:50

13:26:54

13:26:55

13:26:58

13:27:12

13:27:14

13:27:17

13:27:20

13:27:20

13:27:34

16 Q. And were these DRAM chips?

13:26:44

13:26:46

13:26:49

13:26:50

13:26:54

13:26:55

13:26:58

13:27:12

13:27:14

13:27:17

13:27:20

13:27:20

13:27:34

17 A. Yes.

13:26:44

13:26:46

13:26:49

13:26:50

13:26:54

13:26:55

13:26:58

13:27:12

13:27:14

13:27:17

13:27:20

13:27:20

13:27:34

18 Q. And do you recall what the -- if they
 19 were 30-nanometers-or-less chips?

13:26:44

13:26:46

13:26:49

13:26:50

13:26:54

13:26:55

13:26:58

13:27:12

13:27:14

13:27:17

13:27:20

13:27:20

13:27:34

20 A. Based on my understanding, they call that
 21 2X, 2Z.

13:26:44

13:26:46

13:26:49

13:26:50

13:26:54

13:26:55

13:26:58

13:27:12

13:27:14

13:27:17

13:27:20

13:27:20

13:27:34

22 Q. And what's the nanometer?

13:26:44

13:26:46

13:26:49

13:26:50

13:26:54

13:26:55

13:26:58

13:27:12

13:27:14

13:27:17

13:27:20

13:27:34

23 A. (In English) 2X -- this is something like
 24 28 or 25 nanometer. 2Z is something like 21

13:26:44

13:26:46

13:26:49

13:26:50

13:26:54

13:26:55

13:26:58

13:27:12

13:27:14

13:27:17

13:27:20

13:27:34

25 nanometer.

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1	[REDACTED]	13:27:35
2	[REDACTED]	13:27:42
3	[REDACTED]	13:27:43
4	[REDACTED]	13:27:47
5	[REDACTED]	13:27:58
6	[REDACTED]	13:28:02
7	[REDACTED]	13:28:32
8	[REDACTED]	13:28:36
9	[REDACTED]	13:28:38
10	[REDACTED]	13:28:43
11	[REDACTED]	13:28:46
12	[REDACTED]	13:28:52
13	[REDACTED]	13:28:56
14	[REDACTED]	13:28:57
15	[REDACTED]	13:29:01
16	[REDACTED]	13:29:06
17	[REDACTED]	13:29:11
18	[REDACTED]	13:29:15
19	[REDACTED]	13:29:21
20	[REDACTED]	13:29:46
21	[REDACTED]	13:29:49
22	[REDACTED]	13:29:52
23	[REDACTED]	13:29:59
24	[REDACTED]	13:30:00
25	[REDACTED]	13:30:02

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1	[REDACTED]	13:30:13
2	Q. Now, you were a former executive at	13:30:16
3	Micron; is that correct?	13:30:20
4	A. Yes.	13:30:25
5	Q. Now, in the 2016 timeframe, did you have	13:30:26
6	a policy about hiring Micron employees?	13:30:37
7	A. You mean when I was with UMC?	13:30:52
8	Q. Yes.	13:31:01
9	[REDACTED]	13:31:18
10	[REDACTED]	13:31:23
11	[REDACTED]	13:31:26
12	[REDACTED]	13:31:32
13	[REDACTED]	13:31:36
14	[REDACTED]	13:31:54
15	[REDACTED]	13:31:58
16	[REDACTED]	13:32:01
17	[REDACTED]	13:32:04
18	[REDACTED]	13:32:08
19	Q. So you did hire some individuals from	13:32:12
20	Micron; correct?	13:32:18
21	A. Only two, six months after I joined --	13:32:32
22	within the six months after I joined UMC.	13:32:34
23	Q. And who were they?	13:32:37
24	A. JT Ho, and Neil Lee.	13:32:46
25	Q. Did you contact Mr. Ho about coming to	13:32:50

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Transcript of Stephen Chen

Conducted on July 10, 2018

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1 work?

13:32:52

2 A. Mr. Ho came to me. He approached me,
3 saying that he would like to work with me.

13:33:01

4 Q. And what about Mr. Lee? Did you contact
5 him?

13:33:04

6 A. Mr. Lee came to me. Mr. Lee approached
7 me. So both of them approached me.

13:33:07

8 Q. Were you contacted by other Micron
9 employees about possible work at UMC?

13:33:10

10 A. Basically it was them who approached me
11 so that we had this contact. So I used to be the
12 president of Micron, and usually it was the
13 directors of Micron who had direct work relations
14 with me at Micron. But those who approached me
15 afterwards were mostly mid-level or low-level
16 managers with whom I had very little work
17 relations at Micron or direct work relations at
18 Micron. They came to me because they were not
19 happy at Micron.

13:33:15

20 Q. And how many people came to you?

13:33:19

21 A. You mean as of now?

13:33:21

22 Q. Yeah, through today.

13:33:23

23 A. Less than 20. Slightly more than 10,
24 maybe a dozen. And four or five of them went to
25 a different company after Micron, before they came

13:34:13

13:34:16

13:34:20

13:34:23

13:34:27

13:34:30

13:34:34

13:34:36

13:34:41

13:34:44

13:34:48

13:34:54

13:35:09

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1 to me. So those four or five did not come to UMC
2 right after Micron.

13:35:11

13:35:16

13:35:18

13:35:25

13:35:32

13:35:34

13:35:35

13:35:42

13:35:50

13:35:53

13:35:58

13:35:58

13 from Micron?

13:36:01

14 MR. MICHAEL: Objection. Calls for
15 speculation.

13:36:06

13:36:07

16 A. As I said earlier -- as I said earlier,
17 less than 20, with myself included.

13:36:10

13:36:11

18 BY MR. JOHNSON:

13:36:19

19 Q. Did you ever have a plan to raid Micron
20 to develop your DRAM technology?

13:36:19

13:36:24

21 A. No, I have never had such a thought.

13:36:36

22 MR. JOHNSON: Nothing further.

13:36:41

23 MR. MICHAEL: I have a couple of
24 follow-ups.

13:36:42

13:36:44

25 FURTHER EXAMINATION BY MR. MICHAEL:

13:36:44

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1	Q. Mr. Chen, you said that TechInsights	13:36:48
2	during your efforts to do product comparisons	13:36:50
3	provided UMC with technical documentation,	13:36:53
4	including design rules, design structures and cell	13:36:56
5	layouts; is that correct?	13:36:59
6	A. Yes.	13:37:19
7	Q. Did TechInsights provide UMC with any	13:37:21
8	Micron technical documents?	13:37:25
9	A. TechInsight creates a lot of chip	13:37:55
10	reverse-engineering reports, including for Hynix,	13:37:58
11	Samsung, and Micron. So they are all very	13:38:03
12	commercial reports.	13:38:09
13	Q. Did TechInsights provide UMC with any	13:38:10
14	Micron design rules?	13:38:12
15	A. In TechInsights' reports, it shows part	13:38:25
16	of the design rules, but not all.	13:38:30
17	Q. Do you have an understanding where	13:38:32
18	TechInsights obtained Micron design rules from?	13:38:34
19	A. So from the reverse-engineering point of	13:38:58
20	view, you get to see the dimension of the	13:39:00
21	structure.	13:39:02
22	A. (In English) That's a part of our design	13:39:03
23	rule.	13:39:03
24	Q. But that's not the design rule, that's	13:39:08
25	just the parameter that you're able to observe	13:39:11

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1	from your reverse-engineering; correct?	13:39:14
2	A. That is correct. However, UMC does	13:39:38
3	possess some design rule capabilities, so by	13:39:41
4	looking at the documents in the development	13:39:45
5	process and reverse-engineering process, we're	13:39:49
6	able to complete the design rule.	13:39:51
7	Q. So I want to ignore commercial reports	13:39:53
8	that TechInsights provided to you. Besides	13:40:03
9	commercial reports, did TechInsights provide UMC	13:40:06
10	with any Micron technical documents?	13:40:09
11	A. No.	13:40:29
12	Q. You also testified that UMC decided not	13:40:30
13	to reverse-engineer Micron DRAM chips; is that	13:40:33
14	correct?	13:40:38
15	A. We had such direction identified in the	13:40:57
16	team discussions.	13:41:01
17	Q. Did UMC have TechInsights	13:41:04
18	reverse-engineer any Micron chips?	13:41:08
19	A. (In English) No.	13:41:22
20	Q. Has UMC ever conducted	13:41:22
21	reverse-engineering of Micron DRAM chips, aside	13:41:25
22	from -- let me ask the question again.	13:41:29
23	Has UMC ever conducted	13:41:33
24	reverse-engineering of Micron DRAM chips?	13:41:35
25	A. I suppose not.	13:41:58

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1	Q. Do you know one way or the other?	13:42:03
2	A. Supposedly no.	13:42:15
3	Q. What do you mean, "Supposedly no"?	13:42:18
4	A. We bought some Micron chips in the	13:42:54
5	market, and someone later advised us not to do	13:42:56
6	reverse-engineering, so I didn't do it. But then	13:42:59
7	was there any further analysis? I am not sure.	13:43:04
8	I handed the Micron chips to the analysis	13:43:14
9	department, and then I don't know what happened to	13:43:19
10	those chips. I'm not sure if the analysis	13:43:21
11	department destroyed the chips or not.	13:43:26
12	Q. Who did you hand the chips to? What was	13:43:28
13	the name of the individual?	13:43:31
14	A. The AVP of the process development	13:43:43
15	department was SF Tzou.	13:43:47
16	Q. To the best of your knowledge, UMC has	13:43:54
17	not reverse-engineered Micron DRAM chips; correct?	13:43:58
18	A. That is correct. We decided on purpose	13:44:15
19	not to reverse-engineer Micron chips.	13:44:17
20	Q. You also testified that one of the	13:44:20
21	reasons you -- UMC did not reverse-engineer Micron	13:44:22
22	chips is that there were some concerns regarding	13:44:27
23	Micron. What concerns?	13:44:32
24	A. We decided to go for the structure of	13:45:03
25	Samsung, so in the first place we did not need too	13:45:07

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1 much Micron technology direction. (Chinese
 2 spoken) --

3 Q. Let me stop you there. What were UMC's
 4 concerns about Micron, if any?

5 A. We have decided not to go for the
 6 technology direction and layout of the - Micron,
 7 so if we discussed Micron technologies, there
 8 would be too many discussions, and too many
 9 discussions were not a good thing for technology
 10 development.

11 Q. Those were the concerns that your legal
 12 counsel provided to UMC?

13 MR. JOHNSON: Objection. I instruct you
 14 not to answer on the ground of attorney-client
 15 privilege to the extent that it relates to
 16 communications with legal counsel.

17 MR. MICHAEL: Okay, I'm not going to
 18 debate this issue with you on the record right now
 19 in the interests of time. I will tell you that it
 20 was your question and the witness's testimony that
 21 invoked the advice of counsel for decision-making
 22 that was made. So in my view, it's fair game, but
 23 we can deal with that at a different time.

24 MR. JOHNSON: I disagree, but we can.

25 MR. MICHAEL: Yes.

13:45:10

13:45:16

13:45:17

13:45:22

13:45:52

13:45:54

13:45:58

13:46:04

13:46:07

13:46:10

13:46:12

13:46:15

13:46:25

13:46:27

13:46:30

13:46:34

13:46:49

13:46:50

13:46:53

13:46:55

13:46:57

13:47:01

13:47:04

13:47:07

13:47:10

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110

1 MR. JOHNSON: And will.

13:47:11

2 BY MR. MICHAEL:

13:47:12

3 Q. You also testified that you've hired less
4 than 20 individuals from Micron; correct?

13:47:12

5 A. (In English) Yes.

13:47:15

6 Q. You mentioned JT Ho?

13:47:26

7 A. Mm'hm.

13:47:30

8 Q. When did JT Ho start working on the
9 UMC-Jinhua joint development DRAM project?

13:47:31

10 A. JT joined UMC, I think it was mid or late
11 November of 2015. And it was the end of December
12 that we began discussions regarding the joint
13 project.

13:48:07

14 Q. And what about Mr. Neil Lee, when did he
15 start working on the joint DRAM project?

13:48:13

16 A. Roughly also after December.

13:48:17

17 Q. Mr. Kenny Wang is also an individual that
18 is a former Micron employee that was hired into
19 your group at UMC; correct?

13:48:21

20 A. Yes.

13:48:23

21 Q. Are you aware that Mr. JT Ho and Mr Kenny
22 Wang have been indicted by the Taiwan Prosecutors
23 Office for criminal trade secret theft?

13:48:29

24 A. Yes, I learned about it last year on the
25 news report.

13:48:40

13:48:47

13:48:52

13:48:55

13:49:06

13:49:13

13:49:17

13:49:22

13:49:44

13:49:48

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1 Q. Are you also aware that one of the bases
 2 for the indictment is that Mr. Ho and Mr. Wang
 3 brought to them -- brought to UMC a substantial
 4 number of Micron confidential documents? Are you
 5 aware of that?

6 A. I didn't know until the investigation
 7 department came for the investigation.

8 Q. Did you ever conduct an investigation on
 9 how it is that JT Ho was in possession of Micron
 10 confidential documents while employed at UMC?

11 A. I did not know that JT Ho had Micron
 12 confidential documents, so I did not conduct
 13 an investigation.

14 Q. Is JT Ho still employed at UMC?

15 A. Yes.

16 Q. And you're employed at UMC; correct?

17 A. Yes.

18 Q. And JT Ho still reports to you; correct?

19 A. JT Ho is not reporting to me. He used to
 20 be involved in technology integration, but now
 21 he's transferred to a different department.

22 Q. Does he work on the DRAM project?

23 A. (In English) Now?

24 A. Are you asking now?

25 Q. Yes.

13:49:49

13:49:53

13:49:58

13:50:05

13:50:12

13:50:30

13:50:34

13:50:41

13:50:44

13:50:51

13:51:08

13:51:13

13:51:15

13:51:17

13:51:24

13:51:26

13:51:31

13:51:32

13:51:48

13:51:51

13:51:54

13:51:57

13:52:05

13:52:07

13:52:08

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1 A. He is involved in the discussions of 13:52:13
 2 product testing. 13:52:16

3 Q. Have you ever asked JT Ho what the source 13:52:17
 4 was of the Micron documents that he possessed 13:52:21
 5 while at UMC? 13:52:24

6 A. No, I have never asked him. 13:52:37

7 Q. Have you ever -- ever asked somebody at 13:52:40
 8 UMC to investigate the source of Micron documents 13:52:44
 9 that were in JT Ho's possession? 13:52:48

10 A. We didn't know about those documents 13:53:06
 11 until the investigation department came for 13:53:09
 12 an investigation. 13:53:11

13 Q. And my question to you is, have you, 13:53:14
 14 Mr. Chen, ever asked somebody at UMC to 13:53:16
 15 investigate the source of Micron confidential 13:53:19
 16 documents that JT Ho possessed? 13:53:24

17 A. No. 13:53:39

18 Q. Have you ever asked Kenny Wang what the 13:53:43
 19 source was of the Micron documents that he 13:53:45
 20 possessed while at UMC? 13:53:48

21 A. I did not know that Kenny Wang had those 13:54:01
 22 documents. I did not know that Kenny Wang had 13:54:05
 23 those documents until the investigation, and then 13:54:11
 24 after the investigation, Kenny Wang was let go by 13:54:14
 25 the company. 13:54:19

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1 Q. So is it correct that you've never asked
2 Kenny Wang what the source was of the Micron
3 documents in his possession?

4 A. No.

5 THE CHECK INTERPRETER: I'm sorry, it
6 wasn't clear whether the witness meant "No, I've
7 never asked" or "Yes, you're correct". My
8 interpretation would be "It is correct".

9 BY MR. MICHAEL:

10 Q. Let me ask the question again.

11 Have you ever asked Kenny Wang what the
12 source was of the Micron documents in his
13 possession?

14 A. No.

15 MR. JOHNSON: Done?

16 MR. MICHAEL: No more. I'm all good.

17 THE COURT REPORTER: Any stipulations?

18 MR. MICHAEL: Same ones as yesterday?

19 MR. JOHNSON: Same ones as yesterday.

20 Same answer.

21 THE VIDEOGRAPHER: We are going off the
22 record. The time is 1:55 p.m.

23 (Off the record at 1:55 p.m)

24

25

13:54:20

13:54:23

13:54:26

13:54:33

13:54:36

13:54:40

13:54:42

13:54:48

13:54:52

13:54:52

13:54:54

13:54:56

13:54:59

13:55:07

13:55:11

13:55:13

13:55:17

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1 CERTIFICATE OF SHORTHAND REPORTER

2 I, JADE K. KING, Accredited Shorthand
3 Reporter, the officer before whom the foregoing
4 deposition was taken, do hereby certify that the
5 foregoing transcript is a true and correct record
6 of the testimony given; that said testimony was
7 taken by me stenographically and thereafter
8 reduced to typewriting under my supervision; that
9 reading and signing was not requested; and that I
10 am neither counsel for or related to, nor employed
11 by any of the parties to this case and have no
12 interest, financial or otherwise, in its outcome.

13 IN WITNESS WHEREOF, I have hereunto set
14 my hand this 15th day of July 2018.

15 
16 _____

17 Jade K. King

18
19
20
21
22
23
24
25

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